

The Gazette



of India

PUBLISHED BY AUTHORITY

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 No 31] NEW DELHI, SATURDAY, AUGUST 4, 1962/SRAVANA 13, 1884
 

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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 24th July, 1962 :—

Issue No.	No. and date	Issued by	Subject
257	S.O. 2285, dated 21st July, 1962.	Ministry of Information and Broadcasting.	Approval of film specified therein.
258	S.O. 2286, dated 23rd July, 1962.	Ministry of Labour and Employment.	Constituting the Standing Committee of the Employees' State Insurance Corporation.
259	S.O. 2373, dated 24th July, 1962.	Election Commission, India	Making corrections in Schedule VII of the Delimitation of Parliamentary and Assembly Constituencies Order, 1961.
260	S.O. 2374, dated 24th July, 1962.	Ministry of Commerce and Industry.	Appointing the 1st day of August, 1962, as the date on which the provisions of the said Act shall come into force to all the areas in the State of Jammu and Kashmir.
	S.O. 2375, dated 24th July, 1962.	Ditto.	Permitting in all the areas in the State of Jammu and Kashmir referred to in the Notification No. S.O. 2374, dated the 24th July, 1962.
261	S.O. 2376, dated 24th July, 1962.	Ditto.	Amendment in the Notification No. S.O. 1899, dated the 1st August, 1960.

Copies of the Gazettes Extraordinary mentioned above, will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—Section 3—Sub-section (ii)**

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).**

**ELECTION COMMISSION, INDIA**

*New Delhi, the 26th July 1962*

**S.O. 2383.**—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Administration of Tripura, hereby nominates Shri Sunil Chandra Majumdar as the Chief Electoral Officer for the Union Territory of Tripura with effect from the forenoon of the 9th July, 1962, and until further orders *vice* Shri T. P. Choudhury.

[No. 154/19/62.]

**S.O. 2384.**—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Government of Orissa, hereby nominates Shri Amar Singh, I.A.S., as the Chief Electoral Officer for the State of Orissa with effect from the date he takes over charge and until further orders *vice* Shri U. N. Rath, I.A.S.

[No. 154/10/62.]

*New Delhi, the 30th July 1962*

**S.O. 2385.**—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Government of Mysore, hereby nominates Shri Syed Murshed Peer, as the Chief Electoral Officer for the State of Mysore, with effect from the 1st August, 1962, and until further orders *vice* Shri S. V. Papa Reddy.

[No. 154/9/62.]

By Order,

PRAKASH NARAIN, Secy.

*New Delhi, the 13th July 1962*

**S.O. 2386.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge his account of election expenses in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

**SCHEDULE**

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Ram Anugrah Jha, Village Muradpur P.O. Chandsain, District Saharsa, Bihar.	19—Saharsa

[No. BR-P/19/62(37).]

*New Delhi, the 16th July 1962*

**S.O. 2387.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962, has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule failed to lodge his account of election expenses in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

**SCHEDULE**

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Chinnaiiah E.V., Office of the Republican Party of India, Rajaput Street, Nellore.	20—Nellore.

[No. AP-HP/20/62(7)/58028.]

*New Delhi, the 17th July 1962*

**S.O. 2388.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the names of the persons shown in column 1 of the Schedule below who having been contesting candidates for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge his account of election expenses in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

**SCHEDULE**

Names and addresses of contesting candidates	Serial No. and name of constituency
1	2
1. Shri Diwakar Deshpande, Hindu Mahasabha Bhawan, Mandir Marg.	30—Ujjain
2. Shri Palanji Naserwanji Mehta, Municipal House, No. 100, Tarachand Murarji Building, Main Road, Dadar, Bombay-14	30—Ujjain

[No. MP-P/30/62(14)/56674.]

**S.O. 2389.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule failed to lodge his account of election expenses in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7

of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision

## SCHEDULE

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Rajendra Mahto, Village Patepur Gopinath, P.O. Dighra, District Darbhanga, Bihar.	16—Samastipur

[No. BR-P/16/62(38)/56890.]

**S.O. 2390.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge his account of election expenses within the time and in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

## SCHEDULE

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Durga Prasanna Satpathi, Village Banpatna, P.O. Benapur, District Midnapore.	Midnapur

[No. WB-P/27/62(10)/58373.]

**S.O. 2391.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the names of the persons shown in column 1 of the Schedule below who having been contesting candidates for election to the House of the People from the constituency specified in the corresponding entry in column 2 thereof, at the election held in 1962 have, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge any account of their election expenses and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

## SCHEDULE

Name and address of contesting candidate	Serial No. and name of constituency
1	2
1. Shri Satyendra Nath Bose, 12/2, Nilmoni Mitra Street, Calcutta-6.	Midnapur
2. Shri Ranajit Singa Sahas Roy, Village Ramgarh (Purbapara), P.O. Ramgarh, District Midnapore.	Midnapur

[No. WB-P/27/62(9)/58377.]

**S.O. 2392**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge his account of election expenses in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

**SCHEDULE**

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Basanta Kumar Chakraverty, Village Konnagar, P.O. Ghatal, District Midnapore, West Bengal.	24. Ghatal

[No. WB-P/24/62(3)/58386.]

*New Delhi, the 18th July, 1962.*

**S.O. 2393**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule failed to lodge his account of election expenses in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

**SCHEDULE**

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Shaik Kamal Ahmed, S/O Mahaboob Miah, Allagadda, Kurnool District.	28—Kurnool

[No. AP-HP/28/62(10)/56894.]

*New Delhi, the 21st July 1962*

**S.O. 2394**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the names of the persons shown in column 1 of the Schedule below who having been contesting candidates for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 have, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge the accounts of election expenses within the time required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

**SCHEDULE**

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Ram Nath Dubey, Amrit Narayan Road, P.O. Kurseong, District Darjeeling, West Bengal.	3. Darjeeling
Shri Biraja Mohan Bhattacharjee, P.O. Siliguri, District Darjeeling, West Bengal.	3. Darjeeling

[No. WB-P/3/62(11)/58368.]

*New Delhi, the 26th July 1962*

**S.O. 2395.**—In exercise of the powers conferred by sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby cancels the entries relating to Shri Bagala Prasad Mondal in the Schedule appended to its notification No. WB-P/30/62(2), dated the 5th May, 1962.

[No. WB-P/30/62(2A)/56791.]

By Order,  
K. K. SETHI, Under Secy.

*New Delhi, the 16th July 1962*

**S.O. 2396.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance, with the decision given today by the Election Commission under sub-rule (4) of the said rule failed to lodge his account of election expenses in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

SCHEDULE

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Hem Raj Gir, Village—Mathiya Gird Gonda, P.O. Babbni Kanungo, District—Gonda.	34—Gonda

[No. UP-HP/34/62(50).]

**S.O. 2397.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in the corresponding entry in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge any account of his election expenses and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

SCHEDULE

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri M. K. Sinha, Village—Ganeshpur, P.O.—Bahramghat, District—Barabanki.	34—Gonda

[No. UP-HP/34/62(49).]

**S.O. 2398.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the names of the persons shown in column 1 of the Schedule below who having been contesting candidates for election to the House of the People from the constituency specified in the corresponding entry in column 2 thereof, at the election held in 1962 have, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge any account of their election expenses and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

## SCHEDULE

Name and address of contesting candidate	Serial No. and name of constituency
1	2
1. Shri Kulda Ram, Village Deroli Ahir, Post Office Nangal, Serohi Tahsil, Narnaul District, Mahendargarh.	9—Mahendargarh
2. Shri Bhartu Ram, Town Dadri, Basti Chamaran.	9—Mahendargarh
3. Shri Sudhan, Village and Post Office, Manchru, Tehsil Dadri, Distt. Mahendargarh.	9—Mahendargarh

[No. PB-HP/9/62(12).]

**S.O. 2399.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule failed to lodge his account of election expenses in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

## SCHEDULE

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Paramjit Kumar, House No. 55 Sector, 8-A Chandigarh.	9—Mahendargarh

[No. PB-HP/9/62(13).]

**S.O. 2400.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge his account of election expenses within the time and in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

## SCHEDULE

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Awadh Behari, Village & P.O. Gokhia, District Banda.	Banda

[No. UP-HP/60/62(58)/56830.]

**S.O. 2401.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge his account of election expenses within the time and in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

## SCHEDULE

Name and address of contesting candidate Serial No and name of constituency

1	2
1 Shri Ram Sajiwan, Village Sonapur, P O Karwi, District Banda	Banda
2 Shri Acharya Prabhakar Misra, Village Bhalnsmarl, P O Sisolar, District Hamirpur (U P)	Banda

[No UP-HP/60/62(57)/56835]

**S.O. 2402**—In pursuance of sub rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof at the election held in 1962 has, in accordance, with the decision given today by the Election Commission under sub-rule (4) of the said rule failed to lodge the accounts of election expenses within the time required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision

## SCHEDULE

Name and address of contesting candidate Serial No and name of constituency

1	2
Shri M htab Singh, 31D Adarsh Nagar Colony, Agra	Firozabad

[No UP-HP/73/62(60)/58304]

**S.O. 2403**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in the corresponding entry in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge any account of his election expenses and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision

## SCHEDULE

Name and address of contesting candidate Serial No and name of constituency

1	2
Shri Sunder Lal Pipil, Mohalla Duli, Firozabad	Firozabad

[No UP-HP/73/62(59)/58432]

New Delhi, the 18th July 1962

**S.O. 2404**—In pursuance of sub rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub rule (4) of the said rule, failed to lodge his account of election expenses within the time required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision

## SCHEDULE

Name and address of contesting candidate Serial No and name of constituency

1	2
Shri Pooran, Village—Tarauli, P O—Tarauli District—Mathura	Mathura

[No UP-HP/75/62(54)/56355]



**S.O. 2405.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge his account of election expenses in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

## SCHEDULE

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Bedram, Village Jareliya, P.O. Hasanpur, District Mathura.	Mathura

[No. UP-HP/75/62(56)/56360]

**S.O. 2406.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961 the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in the corresponding entry in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge any account of his election expenses and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

## SCHEDULE

Name of contesting candidate	Name of constituency
1	2
Swami Ram Hari Das, Sri Madhwacharya Asram, Parikrama Path, Rajpur Bangar, Verindaban, District Mathura.	Mathura

[No. UP-HP/75/62(55)/56350]

*New Delhi, the 19th July 1962*

**S.O. 2407.**—It is hereby notified for general information that the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, incurred by the person whose name and address are given below, has been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section of the said Act:—

## SCHEDULE

Name and address of the disqualified candidate	Serial No. and name of constituency	Commission's notification No. and date under which disqualified
1	2	3
Shri Shiva Ram Kayasth Sarai Nagina, Bijnore, (U.P.)	78—Khurja	UP-HP/78/62(1) dated the 12th April, 1962.

[No. UP-HP/78/62(1-R)/56823.]

*New Delhi, the 20th July 1962*

**S.O. 2408.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the names of the persons shown in column 1 of the Schedule below who having been contesting candidates for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 have, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge the accounts of election expenses within the time and in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

**SCHEDULE**

Names and addresses of contesting candidates      Serial No. and name of constituency

1	2
1. Shri Jagdish Singh, village Jagdishnagar, P.O. Tindauli, District Mainpuri.	Mainpuri.
2. Shri Janki Prasad, village & P.O Bhongaon, District Mainpuri.	Mainpuri.
3. Shri Brij Pal Singh Nim, c/o Brijendra Pal Singh Yadav, Vakil, Mohalla Chhapatti, Mainpuri.	Mainpuri.

[No. UP-LA/70/62(62)/58206.]

**S.O. 2409.**—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the names of the persons shown in column 1 of the Schedule below who having been contesting candidates for election to the House of the People from the constituency specified in the corresponding entry in column 2 thereof, at the election held in 1962 have, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge any account of their election expenses and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

**SCHEDULE.**

Names and addresses of contesting candidates      Serial No. and name of constituency

1	2
1. Shri Amiri Lal, Etawah Road, P.O. Sirsaganj, District Mainpuri.	Mainpuri.
2. Shri Lala Ram Yadav, Nagla Khokhar, P.O. Bewar, District Mainpuri.	Mainpuri.

[No. UP-HP/70/62(61)/88196.]

By Order,  
C. B. LAL, Under Secy.

*New Delhi, the 18th July 1962*

**S.O. 2410.**—It is hereby notified for general information that the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, incurred by the person whose name and address are given below, has been

removed by the Election Commission in exercise of the powers conferred on it by the said clause and section of the said Act:—

#### SCHEDULE

Name and address of the disqualified candidate	Serial No. and name of constituency	Commission's notification No. and date under which disqualified
1	2	3
Shri Kamb'le Babu Chandrasen, Maharashtra Housing Board, Tenements Building No. 11, Plot 174, Worli, Bombay-18.	2-Bombay City Central South.	MT-HP/2/62 (8) Date 9th June, 1962.

[No. MT-HP/2/62(8-R)/58297.]

By Order,  
V. RAGHAVAN, Under Secy.

### MINISTRY OF LAW

*New Delhi, the 30th July 1962*

**S.O. 2411.**—In exercise of the powers conferred by rule 1 of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908), the Central Government hereby appoints the Deputy Superintendent of Collieries (Madhya Pradesh), an officer of the National Coal Development Corporation Limited, Ranchi, as the person by whom plaints and written statements and other documents in Special Suit No. 9 of 1959 in the High Court at Calcutta ordinary original civil jurisdiction, shall be signed and as the person who, being acquainted with the facts of the case, shall verify such plaints, written statements and other documents.

[No. F. 16(1)/60-J.]

H. C. DAGA, Jt. Secy.

### MINISTRY OF HOME AFFAIRS

*New Delhi, the 25th July 1962*

**S.O. 2412.**—In exercise of the powers conferred by entry 3(b) of the table annexed to Schedule I to the Indian Arms Rules 1951, the Central Government is pleased to specify Her Highness Rani Hemant Kumari, Rani Saheb of Limbdi, for the purpose of that entry and directs that the exemption shall be valid in respect of 1 gun/rifle and 1 pistol/revolver only.

[No. 16/11/62-P.IV.]

N. SAHGAL, Jt. Secy.

### MINISTRY OF FINANCE

(Department of Economic Affairs)

*New Delhi, the 19th July 1962*

**S.O. 2413.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the National Savings Organisation (Class III and Class IV posts) Recruitment Rules, 1960, namely:—

1. These rules may be called the "National Savings Organisation (Class III and Class IV posts) Recruitment (Amendment) Rules, 1962.

2 In the National Savings Organisation (Class III and Class IV posts) Recruitment Rules, 1960, in the Schedule—

- (1) for the abbreviations and figures in column 5, the following abbreviations and figures shall be substituted, namely —

**Part I—Headquarters Office**

Sl No.	Scale of pay
1	Rs 210—10—290—15—320—E B —15—425—E B —15—530
2	Rs 210—10—290—15—320—E B —15—425
3	Rs 168—8—256—E B —8—280—10—300
4	Rs 130—5—160—8—200—E B —8—256—E B —8—280—10—300
5	Rs 210—10—290—15—320—E B —15—425—E B —15—530
6	Rs 130—5—160—8—200—E B —8—256—E B —8—280—10—300
7	(i) Rs 110—3—131—4—155—E B —4—175—5—180 (Ordinary Grade). (ii) Rs 150—5—175—6—205—E B —7—240 (Selection Grade)
8	Rs 75—1—85—E B —2—95
9	Rs 75—1—85—E B —2—95
10	Rs 70—1—80—E B —1—85
11	Rs 70—1—80—E B —1—85
12	Rs 70—1—80—E B —1—85

**Part II—Regional Office**

Sl No	Scale of pay
1	Rs 270—15—435—E B —20—575
2	Rs 180—10—290—E B —15—380
3	Rs 210—10—290—15—320—E B —15—380
4	Rs 130—5—160—8—200—E B —8—256—E B —8—280—10—300
5	Rs 130—5—160—8—200—E B —8—256—E B —8—280—10—300
6	(i) Rs 110—3—131—4—155—E B —4—175—5—180 (Ordinary Grade). (ii) Rs 150—5—175—6—205—E B —7—240 (Selection Grade)
7	Rs 110—3—131—4—139
8	Rs 110—3—125
9	Rs 75—1—85—E B —2—95
10	Rs 70—1—80—E B —1—85
11	Rs 70—1—80—E B —1—85
12	Rs 70—1—80—E B —1—85

- (2) in Part I—Headquarters Office, against serial No 4—

(a) for the existing entries in each of the columns 7, 8 and 9, the following entry shall be substituted, namely —

“Not applicable”,

(b) in the existing entry in column 10, the words “for direct recruits shall be omitted,

(c) in the existing entry in column 11, the words failing which by direct recruitment” shall be omitted,

- (3) in Part II—Regional Offices,—

- (i) against serial No 2,—

(a) in column 11, for the existing entry the following entry shall be substituted, namely —

“Direct recruitment, transfer and promotion”,

(b) in column 12, for the existing entry, the following entry shall be substituted, namely —

“Promotion.

1 Upper Division Clerk

2. Stenographer.

*Transfer.*

State Government servants;

(ii) against serial No. 4,—

(a) for the existing entries in each of the columns 7, 8 and 9, the following shall be substituted, namely:—

“Not applicable”;

(b) in column 10, the words “for direct recruits” shall be omitted;

(c) in column 11, the words “and transfer failing which by direct recruitment” shall be omitted;

(4) in the Foot Note, for paragraph (ii), the following paragraph shall be substituted, namely:—

“(ii) Maximum age limit is relaxable in case of candidates belonging to Scheduled Castes or Scheduled Tribes and other special categories of persons in accordance with the general orders issued by the Government of India from time to time;

(5) for paragraph (iii), the following shall be substituted, namely:—

“(iii) (a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to service; and

(b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service;

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.”

[No. F. 16(25)-NS/61.]

N. S. CHANDRMOWLESWARAN, Under Secy..

## (Department of Economic Affairs)

New Delhi, the 24th July 1962

S.O. 2414 Statement of the Affairs of the Reserve Bank of India, as on the 13th July 1962.

## BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	14,14,86,000
Reserve Fund . . . . .	80,00,00,000	Rupee Coin . . . . .	1,58,000
National Agricultural Credit (Long Term Operations) Fund . . . . .	61,00,00,000	Small Coin . . . . .	3,34,000
National Agricultural Credit (Stabilisation) Fund . . . . .	7,00,00,000	National Agricultural Credit (Long Term Operations) Fund . . . . .	
		(a) Loans and Advances to :—	
		(i) State Governments . . . . .	24,03,45,000
		(ii) State Co-operative Banks . . . . .	11,94,87,000
		(iii) Central Land Mortgage Banks . . . . .	..
		(b) Investment in Central Land Mortgage Bank Debentures . . . . .	2,70,16,000
Deposits :—		National Agricultural Credit (Stabilisation) Fund . . . . .	
(a) Government . . . . .		Loans and Advances to State Co-operative Banks . . . . .	..
(i) Central Government . . . . .	53,26,83,000	Bills purchased and Discounted :—	
(ii) State Governments . . . . .	17,46,47,000	(a) Internal . . . . .	..
(b) Banks . . . . .		(b) External . . . . .	..
(i) Scheduled Banks . . . . .	88,51,86,000	(c) Government Treasury Bills . . . . .	74,69,38,000
(ii) State Co-operative Banks . . . . .	1,97,38,000	Balances Held Abroad* . . . . .	5,36,90,000
(iii) Other Banks . . . . .	2,17,000	Loans and Advances to Governments** . . . . .	
(c) Others . . . . .	192,22,37,000	Loans and Advances to :—	14,13,65,000
Bills Payable . . . . .	33,08,85,000	(i) Scheduled Banks†† . . . . .	2,25,40,000
Other Liabilities . . . . .	17,98,72,000	(ii) State Co-operative Banks††† . . . . .	117,94,68,000
		(iii) Others . . . . .	92,57,000
		Investments . . . . .	249,58,43,000
		Other Assets . . . . .	39,75,38,000
Rupees . . . . .	557,54,65,000	Rupees . . . . .	557,54,65,000

\*Includes Cash and Short-term Securities.

\*\*Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

† Includes Rs. 37,00,000 advanced to scheduled banks against usance bills under Section 17(4) (c) of the Reserve Bank of India Act.

†† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 18th day of July, 1962.

An account pursuant to the Reserve Bank of India Act, 1934 for the week ended the 13th day of July 1962.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department . . . .	14,14,86,000		Gold Coin and Bullion :—		
Notes in circulation . . . .	2090,31,70,000		(a) Held in India . . . .	117,76,10,000	
Total Notes Issued . . . .		2104,46,56,000	(b) Held outside India . . . .	..	
			Foreign Securities . . . .	91,09,17,000	
			TOTAL . . . .		208,85,27,000
			Rupee Coin . . . .		115,60,53,000
			Government of India Rupee Securities . . . .		1780,00,76,000
			Internal Bills of Exchange and other commercial paper . . . .		..
TOTAL LIABILITIES . . . .		2104,46,56,000	TOTAL ASSETS . . . .		2104,46,56,000

Dated the 18th day of July 1962.

P. C. BHATTACHARYYA,  
Governor.

[No. F.3(2)-BC/62.]

A. K. BAKSI, Jt. Secy.

**(Department of Revenue)****INCOME-TAX ESTABLISHMENTS***New Delhi, the 28th July 1962*

**S.O. 2415.**—Consequent on his posting as Income-tax Officer in the charge of the Commissioner of Income-tax, West Bengal, Calcutta, the powers conferred on Shri S. Narayanan, by the Ministry of Finance (Department of Revenue) Notification No. 95—Income-tax Establishments, dated the 11th May, 1962, are hereby withdrawn.

[No. 255.]

**S.O. 2416.**—In pursuance of clause (b) of Sub-rule (ii) of rule 2 of the Appellate Tribunal Rules, 1946, the Central Government have been pleased to appoint Shri N. K. Sastri, Income-tax Officer, Class I, as Authorised Representative, Income-tax Appellate Tribunal, Calcutta, with effect from the 25th June, 1962 (F.N.), to appear, plead and act for any Income-tax authority who is a party to any proceedings before the Income-tax Appellate Tribunal.

[No. 256.]

M. G. THOMAS, Under Secy.

**(Department of Expenditure)***New Delhi, the 24th July 1962*

**S.O. 2417.**—In pursuance of clause (3) of article 77 of the Constitution and of all other powers enabling him in this behalf, the President hereby makes the following rules further to amend the Delegation of Financial Powers Rules, 1958, namely:—

1. These rules may be called the Delegation of Financial Powers (Twelfth) Amendment Rules, 1962.

2. In the Delegation of Financial Powers Rules, 1958,

(i) after rule 3, the following rule shall be inserted, namely:—

3A. "*Residuary Financial Powers.*—The Financial powers of Government which have not been delegated to a subordinate authority, shall vest in the Finance Ministry".

(ii) In rule 10, after sub-rule (5), the following sub-rule shall be inserted, namely:—

"(6) Unless otherwise provided by any general or special rule or order, it shall be within the competence of an authority to exercise the financial powers delegated to another authority subordinate to it."

[No. F. 1(51)-E.II(A)/62.]

C. R. KRISHNAMURTHI, Dy. Secy.

**CENTRAL BOARD OF REVENUE****INCOME-TAX***New Delhi, the 25th July 1962*

**S.O. 2418.**—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Revenue hereby makes the following further amendments in the Schedule appended to its notification S.O. 1915 (No. 28—Income-tax dated the 16th June 1962), namely:—

In the said Schedule for the existing entries at S. No. 2 in col. 2 against Coimbatore Range, the following entries shall be substituted, namely:—

(2) Special Survey Circle, Coimbatore.

*Explanatory Note.*

The amendment has become necessary due to re-organisation of Circles in an Appellate Range.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 39(F. No. 50/12/62-IT).]



*New Delhi, the 27th July 1962*

**S.O. 2419.**—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961) and in partial modification of all previous notifications on the subject, the Central Board of Revenue hereby directs that with effect from the 18th June, 1962 (fore-noon) Shri V. Gopinathan, a Commissioner of Income-tax shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the State of Uttar Pradesh.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax authority outside his jurisdictional area.

While performing the said functions the said Shri V. Gopinathan shall be designated as the Commissioner of Income-tax, Uttar Pradesh with headquarters at Lucknow.

*Explanatory Note*

**NOTE.**—The amendments have become necessary due to a change in incumbent of the Commissioner's post.

(The Above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 40 (F. No. 55/1/62-IT).]

**S.O. 2420.**—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961) and in partial modification of all previous notifications on the subject, the Central Board of Revenue hereby directs that with effect from the 4th July 1962 (After-noon) Shri R. N. Jain, a Commissioner of Income-tax shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the following Income-tax Circles, Wards and Districts, namely:—

Central Section I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV and Central Circles I-A, I-B, I-C, II-A, II-B, II-C, I-D and II-E at Bombay and Central Circles I, II and III at Ahmedabad.

Provided that he shall also perform his functions in respect of such persons or such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority Subordinate to him.

Provided further that he shall not perform his functions in respect of such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While performing the said functions the said Shri Jain shall be designated as the Commissioner of Income-tax (Central), Bombay with headquarters at Bombay.

*Explanatory Note*

**NOTE.**—The amendments have become necessary on account of a change in the incumbent of Commissioner's post.

(The Above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 41 (F. No. 55/1/62-IT).]

**S.O. 2421.**—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Revenue hereby makes the following further amendments in the Schedule appended to its notification S.O. 2140 No. 35—Income-tax dated 10th July, 1962, namely:—

In the said Schedule against 'Rohtak Range' under col. 2, the following entries shall be substituted, namely:—

Rohtak.

1. All Income-tax Circles, Wards or Districts having headquarters at—

- (i) Rohtak.
- (ii) Karnal.
- (iii) Hissar.
- (iv) Bhatinda.
- (v) Ferozepur.
- (vi) Gurgaon.

2. Special Survey Circle, Patiala (In respect of the persons who have their place of business in or reside in the jurisdiction of the Income-tax Circles, Rohtak, Karnal, Hissar, Bhatinda, Gurgaon).

3. Special Survey Circle, Amritsar (In respect of the persons who have their place of business in or reside in the jurisdiction of the Income-tax Circle, Ferozepur).

#### *Explanatory Note*

The amendments have become necessary on account of creation of an Income-tax Circle in the Commissioners charge.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 42 (F. No. 50/14/62-IT).]

*New Delhi, the 31st July, 1962.*

**S.O. 2422.**—In exercise of the powers conferred by sub-section (1) of section 122, of the Income-tax Act, 1961, (43 of 1961), the Central Board of Revenue hereby makes the following further amendments in the Schedule appended to its notification S.O. 660 No. 35—Income-tax, dated the 22nd April, 1958:—

In the Schedule under the sub-head "I-Andhra Pradesh" for the existing entries against 'B' Range, Hyderabad, in col. 2, the following entries shall be substituted, namely:—

'B' Range, Hyderabad.

1. B—Ward, Hyderabad.
2. Income-tax cum Wealth Tax Circle No. II, Hyderabad.
3. Special Investigation Circle, Hyderabad.
4. Special Survey Circle, Hyderabad.
5. Salary Circle, Hyderabad.
6. Adoni.
7. Kurnool.
8. Nizamabad.
9. Khammamoth.
10. Warrangal.
11. Mahaboobnagar.

[No. 43 F. 50/1/62-IT.]

J. RAMA IYER, Under Secy.

**MINISTRY OF COMMERCE AND INDUSTRY***New Delhi, the 25th July 1962*

**S.O. 2423.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Small Scale Industries Organisation (Class III and Class IV Posts) Recruitment Rules, 1960, published with the notification of the Government of India in the Ministry of Commerce and Industry S.R.O. No. 982, dated the 12th April, 1960, namely:—

1. These rules may be called the Small Scale Industries Organisation (Class III and Class IV Posts) Recruitment (Amendment) Rules, 1962.

2. In the Schedule annexed to the Small Scale Industries Organisation (Class III and Class IV Posts) Recruitment Rules, 1960, against item 3 relating to the post of Lower Division Clerk, after the entry (b) in column 7, the following proviso shall be added namely:—

“Provided that such of the physically handicapped persons, who are otherwise qualified to hold clerical posts and who are certified as being unable to type by the Medical Board attached to the Special Employment Exchanges for the Handicapped (or by the Civil Surgeon where there is no such Board), shall be exempted from the typing qualification.”

[No. 20-SSI(C)(21)/59.]

K. N. R. PILLAI, Under Secy.

*New Delhi, the 31st July 1962*

**S.O. 2424.**—In exercise of the powers conferred by section 13 of the Spirituous Preparations (Inter-State Trade & Commerce) Control Act, 1955 (39 of 1955), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 2777-A, dated the 30th August, 1957, namely:—

In the said Notification, for item 2, the following item shall be substituted, namely:—

“2. Other medicinal preparations containing alcohol falling under items 1 and 3(iii) of the Schedule to the Medicinal and Toilet Preparations (Excise Duties) Amendment Act, 1961 (19 of 1961)”

[No. F. 32(1)-Com(Genl)/62.]

T. S. KUNCHITHAPATHAM, Under Secy.

**ORDER***New Delhi, the 31st July 1962*

**S.O. 2425/IDRA/6/9.**—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), read with rule 3(1) of the Development Council's (Procedural) Rules, 1952, the Central Government hereby appoints Shri R. N. Bhargava and Shri D. V. Mahabale to be members, till the 27th April, 1963, of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 1004, dated the 28th April, 1961, for the scheduled industries engaged in the manufacture or production of Internal Combustion Engines, Power Driven Pumps, Air Compressors and Blowers and directs that the following amendment shall be made in the said Order, namely:—

In the said Order after entry No. 22B relating to Shri T. R. Ganesan, the following entries shall be inserted, namely:—

“22C. Shri R. N. Bhargava, Deputy Director of Industries, Uttar Pradesh, Kanpur. Consumers”.

“22D. Shri D. V. Mahabale, Secretary, New Precision (India) Private Ltd., Dewas (Madhya Pradesh). do.”

[No. 1(12)L.Pr/60.]

## CORRIGENDAM

*New Delhi, the 27th July 1962*

**S.O. 2426.**—In the Ministry of Commerce and Industry Order No. S.O. 1330 dated the 30th April, 1962 (as amended from time to time) published in Part II Section 3 Sub-Section (ii) of the Gazette of India, dated the 5th May 1962:

For "29 Shri N. M. Anwar, M.P.,  
Honorary Secretary,

Southern India Skin and Hide Merchants Association,  
Madras."

Read "29. Shri N. M. Anwar, M.P.,  
PERNAMBUT,  
North Arcot District,  
Madras State".

[No. 4(37)L.Pr/61.]

*New Delhi, the 31st July 1962*

**S.O. 2427.**—In the Ministry of Commerce and Industry Order No. S.O. 1053, dated the 6th May, 1961, published in Part II Section 3 Sub-section (ii) of the Gazette of India, dated the 13th May 1961:

For "6. Shri B. Venkataraman,  
General Manager,  
Praga Tools Corporation Ltd.,  
17, Saifabad,  
Hyderabad Dn.

Owners "

Read "6. Shri B. Venkataraman,  
7, Venkatarama Iyer Street,  
Madras-17.

Owners "

[No. 1(7)L.Pr/60.]

B. R. ABHYANKER, Under Secy.

## CORRIGENDUM

*New Delhi, the 26th July 1962*

**S.O. 2428.**—In the Ministry of Commerce and Industry's Order No. 14(7)-Tex(A)/54 dated the 16th July, 1962, published in the Gazette of India Extraordinary, Part II, Section 3, sub-section (ii) dated the 16th July, 1962,

For, "Dr V. Bhattacharya",  
read "Dr. U. Bhattacharya."

[No. 14(7)-Tex(A)/54.]

A. B. DATAR, Under Secy.

(Office of the Chief Controller of Imports and Exports)

## ORDER

*New Delhi, the 25th July 1962*

**S.O. 2429.**—Whereas there is reason to believe that Licence No. A608292/61/AU-NS/CCI/HQ/NPCII, dated 24th May 1962, valued at Rs. 1,60,000.00 for the import of White Printing Paper (Excluding laid marked paper) which contains Mechanical Wood Pulp amounting to not less than 70 per cent. of the Fibre content and should not be less than 50 grammes per Sq. Metre, falling under S. No. 44/V of Import Trade Control Schedule, from the General Currency Area, granted by the Chief Controller of Imports and Exports, New Delhi, to M/s Betar Jagat Bengali Fortnightly, C/o Modern Press, 7, Raja Subodh Mallick Square, Calcutta-13, was obtained on misrepresentation of facts, whereas Notice No. 116/HQ/62/I(2)/1711, dated 25th June 1962, asking the said firm why the said licence should not be cancelled, has been received by the firm, but whereas no representation against the cancellation of licence has so far been made, whereas no other Bank or any party, excepting M/s Modern India Press, 7, Raja Subodh Mallick Square, Calcutta-13, who may be having interest in the said licence has come forward, and whereas in their representation dated 28th June 1962 M/s Modern India Press, 7, Raja Subodh Mallick Square, Calcutta-13, have not furnished sufficient cause against the cancellation of the said licence, the Government of India, in the Ministry of Commerce

and Industry, in exercise of the powers conferred by Clause 9 of the Imports (Control) Order, 1955, dated the 7th December, 1955 as amended, hereby cancel the said licence No. A608292/61/AU-NS/CCI/HQ/NPCII, dated 24th May 1962 issued to the said M/s. Betar Jagat, Bengali Fortnightly C/o Modern Press, 7, Raja Subodh Mullick Square, Calcutta-13.

[No. 116/HQ/62/I(2)/2041.]

E. M. JAYARAJAN,

Dy. Chief Controller of Imports and Exports,  
for Chief Controller of Imports and Exports.


**(Indian Standards Institution)**

*New Delhi, the 20th July 1962*

**S.O. 2430.**—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, as amended in 1962 the Indian Standards Institution hereby notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 as amended in 1961 and the rules and regulations framed thereunder, shall come into force with effect from 1st August 1962.

**THE SCHEDULE**

Sl. No.	Design of the Standard Mark	Product/Class of Product to which Applicable	No. & Title of Relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
I		Covered Electrodes for Metal Arc Welding of Mild Steel.	IS: 814-1957 Specification for Covered Electrodes for Metal Arc Welding of Mild Steel.	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being inscribed on the top side of the monogram as indicated in the design.

[No. MD/17:2]

**S.O. 2431.**—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1962 the Indian Standards Institution hereby notifies that the marking fee per unit for Covered Electrodes for Metal Arc Welding of Mild Steel details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1st August 1962.

**THE SCHEDULE**

Sl. No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fee per Unit
I	Covered Electrodes for Metal Arc Welding of Mild Steel.	IS: 814-1957 Specification for Covered Electrodes for Metal Arc Welding of Mild Steel.	1000 pcs	4 nP. per unit with a minimum of Rs. 6,000.00 for production during a calendar year.

[No. MD/18:2.]

*New Delhi, the 24th July 1962*

**S.O. 2432.**—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1962, the Indian Standards Institution hereby notifies that amendment to the Indian Standard given in the Schedule hereto annexed has been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

## THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard amended	No. and date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and date of the Amendment	Brief particulars of the Amendment	Date of Effect of the Amendment
(1)	(2)	(3)	(4)	(5)	(6)
1	IS:1158-1957 Specification for Corn Flakes.	S.O. 137, dated 1st March 1958.	No. 1 November, 1961.	(i) In Table I, col. 2, against Sl. No. (ii), the following has been substituted for the existing matter :  ‘Total ash, excluding sodium chloride (on dry basis), per cent by weight, Max’.  (ii) In clause B-1.2, Note, line 2, ‘total ash, excluding sodium chloride’ has been substituted for ‘total ash’.  (iii) The existing Appendix C has been deleted and substituted by a new appendix.  (iv) The existing items D-2 and D-3 have been deleted and substituted by new items.	Immediate effect.

Copies of this Amendment Slip are available, free of cost, with the Indian Standards Institution, Manak Bhavan, 9, Mathura Road, New Delhi-1, and also at its Branch Offices at (i) 232, Dr. Dadabhai Naoroji Road, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, (iii) 2/21 First Line Beach, Madras-1, and (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:5]

**S.O. 2433.**—In partial modification of the rate of marking fee for steel drums and kegs (galvanized and ungalvanized), notified in the Schedule annexed to the Ministry of Commerce & Industry (Indian Standards Institution) Notification No. S.O. 2608 dated the 18th October 1960 published in the Gazette of India, Part II, Section 3, sub-section (ii), dated the 29th October 1960, the Indian Standards Institution hereby notifies that the marking fee per unit for steel drums and kegs (galvanized and ungalvanized) has been revised. The revised rate of marking

fee, details of which are given in the Schedule hereto annexed, shall come into force with effect from 10th August 1962.

## THE SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit
(1)	(2)	(3)	(4)	(5)
1	Steel Drums and Kegs (Galvanized and Ungalvanized).	IS:1549-1960 Specification for Steel Drums and Kegs (Galvanized and Ungalvanized).	One Drum	1 nP. per unit for the first 500,000 units with a minimum of Rs. 1,000.00 for production during a calendar year; ½ nP. per unit for production beyond 500,000 units.

[No. MD 18:2.]

C. N. MODAWAL,  
Head of the Certification Marks Division.

## MINISTRY OF MINES AND FUEL

## ERRATUM

New Delhi, the 26th July 1962

S.O. 2434.—In the Schedule to the Notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 1772, dated the 29th May, 1962, published in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 9th June, 1962, at pages 2110 to 2114—

(1) at page 2113, in the tabular statement for "Total:—625.75", read "Total:—625.73".

(2) at page 2114, in the twelfth line, for "16-17 line" read "16-7 line."

[No. C2-20(14)/62.]

P. S. KRISHNAN, Under Secy.

## MINISTRY OF STEEL AND HEAVY INDUSTRIES

(Department of Iron and Steel)

New Delhi, the 28th July 1962

S.O. 2435/ESS.COMM/IRON AND STEEL-2(c)/AM (95).—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India, in the Ministry of Steel, Mines and Fuel, No. S.R.O. 2041/ESS/COMM/IRON AND STEEL-2(c), dated the 11th June, 1957, as amended from time to time, namely:—

In the Schedule annexed to the said notification, in columns 2 thereof, against 'OTHERS' for the existing entry No. 37, the following shall be substituted, namely:—

2	3
"37. Deputy Chief Controllers (Export Promotion) and Controllers (Export Promotion) at Madras, Bombay, Calcutta and Ernakulam."	

[No. SC(A)-2(10)/61.]

H. S. GILL, Under Secy.

**DELHI DEVELOPMENT AUTHORITY***New Delhi, the 25th July 1962*

**S.O. 2436.**—In consequence to the recent General Elections of the Municipal Corporation of Delhi and the Parliament, the Committees mentioned in Col. No. (1) of the statement given below have elected their members shown in Column No. (3) to act as their representatives on the Advisory Council of the Delhi Development Authority in place of the outgoing members shown in Column No. (4).

Name of the body electing the members with date	Section of D.D. Act under which elected.	Names of members now elected	Names of the outgoing members in whose place those in Col. (3) elected
1	2	3	4
Municipal Corporation of Delhi— 19-4-1962.	5(2)(d)	1. Shri Brij Lal 2. „ Dhani Ram 3. „ Girdhari Lal 4. „ Ram Singh.	1. Shri Bal Kishan. 2. „ Rup Lal Batra. 3. „ Bhagwan Dutt. 4. „ Tilak Raj.
Delhi Electric Supply Committee— 27-4-1962.	5(2)(c)(i)	1. Shri Bachittar Singh Bawa.	1. Shri Bhiku Ram Jain.
Delhi Transport Committee—25-4-1962.	5(2)(c)(ii)	1. Shri Daroga Mal	1. Shri Prahlad Saran.
Delhi Water Supply and Sewage Disposal Committee— 21-4-1962.	5(2)(c)(iii)	1. Shri Khub Ram Jajoria.	1. Shri R. K. Bhardwaj.
Lok Sabha 25-5-1962.	5(2)(h)	1. Shri Shiv Charan Gupta. 2. „ Naval Prabhakar.	1. Shm. Subhadra Joshi. 2. Shri Radha Raman.

Now, therefore, in pursuance of the provisions of Section 5 of the Delhi Development Act, 1957 (No. 61 of 1957), the Delhi Development Authority makes the following amendments to notification No. F. 1(33)/58-GA, dated 26th December, 1958 and 22nd June, 1961, constituting the said Advisory Council with effect from the dates of their election, namely:—

**AMENDMENTS**

Sl. No.	In item, No.	For Entries	Substitute
1.	(4)	(1) Shri Bal Krishan. (2) „ Rup Lal Batra. (3) „ Bhagwan Dutt. (4) „ Tilak Raj.	(1) Shri Brij Lal. (2) „ Dhani Ram. (3) „ Girdhari Lal. (4) „ Ram Singh.
2.	(5)	(1) Shri Bhiku Ram Jain, Chairman, Delhi Electric Supply Committee.  (2) Shri Prahlad Saran, Chairman, Transport Committee.  (3) Shri R. K. Bhardwaj, Chairman, Water Supply & Sewage Disposal Committee.	(1) Shri Bachittar Singh Bawa, Chairman, Delhi Electric Supply Committee.  (2) Shri Daroga Mal, Chairman, Delhi Transport Committee.  (3) Shri Khub Ram Jajoria, Chairman, Delhi Water Supply & Sewage Disposal Committee.
3.	(8)	(1) Shrimati Subhadra Joshi, (Lok Sabha) (2) Shri Radha Raman, (Lok Sabha)	(1) Shri Shiv Charan Gupta, (Lok Sabha). (2) Shri Naval Prabhakar (Lok Sabha).

**BALBIR SINGH SAIGAL,**  
Engineer-Member,  
[No. F. 1(33)/58-GA.]



**S.O. 2437.**—In pursuance of the provisions of sub-section (4) of Section 22 of the Delhi Development Act, 1957, the Delhi Development Authority has replaced at the disposal of the Central Government the land described in the schedule below for placing it at the disposal of the Land and Development Officer, Ministry of Works, Housing and Supply, Government of India, New Delhi.

#### SCHEDULE

Piece of land measuring 1 Big. 7 Bis. or 0.28 acres bearing khasra No. 366 min situated in Aliganj Estate.

The above piece of land is bounded as follows:—

NORTH: Nazul Land

SOUTH: Nazul Land

EAST: Nazul Land

West: Pucca Road (Link Road).

[No. L. 2(30)62.]

**S.O. 2438.**—In pursuance of the provisions of sub-section (4) of Section 22 of the Delhi Development Act, 1957, the Delhi Development Authority has replaced at the disposal of the Central Government the land described in the schedule below for placing it at the disposal of the Land and Development Officer, Ministry of Works, Housing and Supply, Government of India, New Delhi.

#### SCHEDULE

Piece of land measuring 0.28 acres bearing khasra No. 352 min situated in Aliganj Estate.

The above piece of land is bounded as follows:—

NORTH: Nazul Land

SOUTH: Nazul Land

East: Pucca Road (Link Road)

West: Nazul Land

[No. L. 2(46)62.]

R. K. VAISH, Secy.

### CENTRAL EXCISE COLLECTORATE, POONA

#### CENTRAL EXCISE

Poona, the 12th July 1962

**S.O. 2439.**—In exercise of the powers conferred upon me under Rule 233 of the Central Excise Rules, 1944, I hereby direct that the manufacturers of excisable goods specified below shall maintain a register called "Register of break-downs" prescribed in form Appendix-A furnishing the required details therein.

#### EXCISABLE GOODS

1. Sugar.

2. Cotton Textile Mills (Composite).

3. Vegetable Products.

4. Paper.

- 
- |   |                             |
|---|-----------------------------|
| 5. Rayon and Synthetic Fabrics and<br>Yarn. | 7. Wireless receiving sets. |
| 6. Electric fans.                           | 8. Matches.                 |

## APPENDIX 'A'

Register showing the particulars of breakdown and effects on production and clearance

Name of the Factory .....

Range .....

Circle .....

Serial No. and Date	Date and Time of information to Range Officer	Nature and duration of Breakdown and stoppage etc.	Effect of Breakdown on			Whether lost hours made up subsequently. If so, to what extent	Made up			REMARKS
			I Production	II Clearance	III Duty realisation		Production	Clearance	Duty realisation	
1	2	3	4(i)	4(ii)	4(iii)	5	6(i)	6(ii)	6(iii)	7

NOTE.— Columns 5 and 6 should be written after the closure of the manufacturing season in the case of sugar factories and before the date of next breakdown, etc. in case of other factories.

[No. CER 233/12/62.]

(Sd.) Illegible. Collector.

**CUSTOMS AND CENTRAL EXCISE COLLECTORATE, COCHIN-1****CENTRAL EXCISE.***Cochin, the 25th July 1962*

**S.O. 2440.**—In exercise of the powers conferred on me under Rule 233 of Central Excise Rules, 1944, I order that the owners of powerlooms engaged in the production of Cotton Fabrics/Artsilk Fabrics/Silk Fabrics or woollen fabrics on powerlooms shall indicate on each such powerloom engaged by them in the manufacture of the said fabrics in white lead paint the following particulars in block letters:—

- (i) Name and address of the licensee;
- (ii) L.4 Licence Number and date.
- (iii) Serial number of loom owned by or allotted to the Unit.

2. Such particulars shall also be marked on the looms either owned by or allotted to the weavers who are members of any co-operative Society.

3. It is further directed that such markings shall be made by all power loom owners immediately after issue of this Notification and in any case before expiry of 30 days from date of Issue of this notification.

[No. 5/62.]

A. K. BANDYOPADHYAY, Collector.

**MINISTRY OF FOOD & AGRICULTURE****(Department of Agriculture)****(I.C.A.R.)***New Delhi, the 19th July 1962*

**S.O. 2441.**—The Government of West Bengal having nominated Shri Abani Mohan Bose, M.L.A., P.O. Uluberia, District Howrah, West Bengal as a member of the Indian Central Coconut Committee *vice* Shri Parimal Ghosh under clause (b) of Section 4 of the Indian Coconut Committee Act, 1944 (X of 1944), the Central Government hereby notifies that Shri Abani Mohan Bose aforesaid shall be member of the said Committee for the period ending 31st March 1964.

[No. 8-3/61-Com. I.]

N. K. DUTTA, Under Secy.

**MINISTRY OF TRANSPORT AND COMMUNICATIONS****(Department of Transport)****(Transport Wing)****MERCHANT SHIPPING***New Delhi, the 28th July 1962*

**S.O. 2442.**—In exercise of the powers conferred by rule 5 of the Indian Merchant Shipping (Seamen's Employment Office, Calcutta) Rules, 1954, the Central Government hereby appoints Sarvashri C. N. Rodewald, J.H.H. Ross and Captain I. B. Taylor as members representing the shipowners on the Seamen's Employment Board (Foreign going) at the port of Calcutta in places of Shri J. M. Gibson, Captain J. Paterson and Captain A. Mcsweeney respectively who have since resigned and makes the following amendment in the Notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) No. 15-MT(2)/60, dated the 9th November, 1960, namely:—

In the said Notification for entries No. 7, 9 and 10 under I, the following entries shall be substituted:—

- "7. Shri C. N. Rodewald
- 9. Shri J. H. H. Ross
- 10. Captain I. B. Taylor".

[No. 15-MT(9)/60.]

D. S. NIM, Dy. Secy.

**MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS****ARCHAEOLOGY***New Delhi, the 25th July 1962*

**S.O. 2443.**—In pursuance of section 36 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby makes the following correction in the notification of the late Government of Bombay in the General Department No. 8682 dated the 14th July, 1920, namely:—

In the said notification, for the words "in the village of Faria Bagh in Nagar Taluka", the words "in Bhingar Cantonment area of Ahmednagar Taluka" shall be substituted.

[No. F. 4-26/61-C.1.]

S. J. NARSIAN,  
Assistant Educational Adviser.

**MINISTRY OF WORKS, HOUSING & SUPPLY***New Delhi, the 25th July 1962*

**S.O. 2444.**—In exercise of the powers conferred by sub-section (1) of section 17 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (30 of 1952), the Central Government hereby directs that the powers exercisable by it under section 6, section 7, section 8 [(except clause (b) of sub-section (1)] and section 13 of the said Act shall be exercisable also by the Military Land Requisitioning Officer, Jullundur, in the State of Punjab, in respect of any property situated within the Districts of Kangra and Gurdaspur, provided that the power under the said section 8 in so far as it relates to fixing of compensation by agreement shall not be exercised except with the previous concurrence of the Central Government.

[No. EE. 11(1)/62.]

**S.O. 2445.**—In pursuance of clause (b) of section 2 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (30 of 1952), the Central Government hereby authorizes the Military Land Requisitioning Officer, Jullundur, in the state of Punjab, to perform the functions of a competent authority under the said act for the areas falling within the Districts of Kangra and Gurdaspur.

[No. EE. 11(1)/62.]

V. P. SUD, Dy. Secy.

**MINISTRY OF HEALTH***New Delhi, the 23rd July 1962*

**S.O. 2446.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M.D. awarded by the University of Georgetown, Washington, United States of America shall be a recognised medical qualification for the purposes of this Act.

[No. F. 16-5/62-MI.]

**S.O. 2447.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification Doctor of Medicine, awarded by the University of Philippines shall be a recognised medical qualification for the purposes of this Act.

[No. F. 16-6/62-MI.]

**S.O. 2448.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification "M.D." (Doctor of Medicine) awarded by the University of Poznan (Poland) shall be a recognised medical qualification for the purposes of this Act.

[No. F. 16-8/62-MI.]

**S.O. 2449.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification "M.D." granted by the University of Kansas, U.S.A. shall be a recognised medical qualification for the purposes of this Act.

[No. F. 16-41/61-MI.]

**S.O. 2450.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification "ARTSEXAMEN" (i.e. Diploma Medical Faculty) University of Amsterdam shall be a recognised medical qualification for the purposes of this Act.

[No. F. 16-44/61-MI.]

**S.O. 2451.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956, (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M.B.B.S. granted by the University of Queensland, Brisbane, Australia shall be a recognised medical qualification for the purposes of this Act.

[No. F. 16-46/61-MI.]

*New Delhi, the 26th July 1962*

**S.O. 2452.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M.D., C.M. awarded by the University of McGill, Montreal, Canada shall be a recognised medical qualification for the purposes of this Act.

[No. 16-1/62-MI.]

**S.O. 2453.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M.D. (University of Turin, Italy i.e. 'Laurea in Medicina E. Chirurgia' shall be a recognised medical qualification for the purposes of this Act.

[No. F. 16-40/61-MI.]

**S.O. 2454.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M.D. granted by the University of Manitoba, Canada shall be a recognised medical qualification for the purposes of this Act.

[No. F. 16-11/62-MI.]

**S.O. 2455.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification Doctor of Medicine granted by the University of Oklahoma, U.S.A. shall be a recognised medical qualification for the purposes of this Act.

[No. F. 16-30/61-MI.]

**S.O. 2456.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical qualification M.D. granted by the University of Southern California, U.S.A. shall be a recognised medical qualification for the purposes of this Act.

[No. F. 16-33/61-MI.]

## ORDERS

*New Delhi, the 23rd July 1962*

**S.O. 2457.**—Whereas the Government of India in the Ministry of Health has, by Notification No. 16-5/62-MI, dated the 23rd July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D." granted by the University of Georgetown, Washington, United States of America for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this Order or so long as Dr. Eileen Niedfield, who possesses the said qualification, continues to work in the Kurji Holy Family Hospital, P.O. Sadaquat Ashram, Patna, to which she is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Eileen Niedfield shall be limited.

[No. F. 16-5/62-MI.]

**S.O. 2458.**—Whereas the Government of India in the Ministry of Health has, by notification No. 16-6/62-MI, dated the 23rd July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "Doctor of Medicine" granted by the University of Philippines for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this Order or so long as Dr. E. A. Santiago, who possesses the said qualification, continues to work in the Kurji Holy Family Hospital, P.O. Sadaquat Ashram, Patna (Bihar), to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. E. A. Santiago shall be limited.

[No. F. 16-6/62-MI.]

**S.O. 2459.**—Whereas the Government of India in the Ministry of Health has, by notification No. 16-8/62-MI, dated the 23rd July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D." (Doctor of Medicine) granted by the University of Poznan (Poland) for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this Order or so long as Dr. Adam Wisniewski, who possesses the said qualification, continues to work in the Christsahaya Dispensary, Raipur (M.P.), to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Adam Wisniewski shall be limited.

[No. F. 16-8/62-MI.]

**S.O. 2460.**—Whereas the Government of India in the Ministry of Health has by notification No. 16-41/61-MI, dated the 23rd July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D." granted by the University of Kansas, U.S.A. for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this Order or so long as Dr. Ira Cox Jr., who possesses the said qualifications, continues to work in the Reynolds Memorial Hospital, Basim, Akola Dt., to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Ira Cox Jr. shall be limited.

[No. F. 16-41/61-MI.]

**S.O. 2461.**—Whereas the Government of India in the Ministry of Health has, by notification No. 16-44/61-MI, dated the 23rd July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "ARTSEXAMEN" (i.e. Diploma Medical Faculty) granted by the University of Amsterdam for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby specifies the period of 2 years with effect from the date of this Order or so long as Dr. (Miss) H. Kreuger, who possesses the said qualification, continues to work in the Church of Scotland Mission Hospital Jalna, Distt. Aurangabad, to which she is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. (Miss) H. Kreuger shall be limited.

[No. F. 16-44/61-MI.]

**S.O. 2462.**—Whereas the Government of India in the Ministry of Health has, by Notification No. 16-46/61-MI, dated the 23rd July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.B.B.S." granted by the University of Queensland, Brisbane, Australia for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this Order or so long as Dr. Brien Frederick Charles Smith, who possesses the said qualification, continues to work in the Mission Hospital, Tiruvalla, (Kerala), to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Brien Frederick Charles Smith shall be limited.

[No. F. 16-46/61-MI.]

*New Delhi, the 24th July 1962*

**S.O. 2463.**—Whereas the Government of India in the Ministry of Health has, by Notification No. 16-41/61-MI, dated the 23rd July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D." granted by the University of Kansas, U.S.A. for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this Order or so long as Dr. Jacob Friesen, who possesses the said qualification, continues to work in the American Mennonite Brethern Mission Jadcharla, Mahaboobnagar, A.P., to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Jacob Friesen shall be limited.

[No. F. 16-47/61-MI.]

*New Delhi, the 26th July 1962*

**S.O. 2464.**—Whereas the Government of India in the Ministry of Health has, by notification No. 16-1/62-MI, dated 26th July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D., C.M." granted by the University of McGill, Montreal, Canada for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this Order or so long as Dr. Sydney John Alder Vandrick, who possesses the said qualification, continues to work in the Canadian Baptist Mission, Akividu, W.C.D., to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Sydney John Alder Vandrick shall be limited.

[No. F. 16-1/62-MI.]



**S.O. 2465.**—Whereas the Government of India in the Ministry of Health has, by notification No. 16-11/62-MI, dated the 26th July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D." granted by the University of Manitoba, Canada for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this Order or so long as Dr. G.J. Froese, who possesses the said qualification, continues to work in the American Mennonite Brethren Mission Mahbubnagar, A.P., to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. G. J. Froese shall be limited.

[No. F. 16-11/62-MI.]

**S.O. 2466.**—Whereas the Government of India in the Ministry of Health has, by notification No. 16-30/61-MI, dated the 26th July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "Doctor of Medicine" granted by the University of Oklahoma, U.S.A. for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of 2 years with effects from the date of this Order or so long as Dr. R. J. Garst who possesses the said qualification, continues to work in the Christian Medical College and Hospital, Ludhiana, to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. R. J. Garst shall be limited.

[No. F. 16-30/61-MI.]

**S.O. 2467.**—Whereas the Government of India in the Ministry of Health has, by notification No. 16-33/61-MI, dated the 26th July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D." granted by the University of Southern California, U.S.A. for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of 2 years with effect from the date of this Order or so long as Dr. Donald Carl Loos, who possesses the said qualification, continues to work in the Baptist Christian Hospital, Tezpur, Assam, to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Donald Carl Loos shall be limited.

[No. F. 16-33/61-MI.]

**S.O. 2468.**—Whereas the Government of India in the Ministry of Health has, by notification No. 16-40/61-MI, dated the 26th July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D." granted by the University of Turin, Italy, i.e. 'Laurea in Medicina E. Chirurgia' for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of 2 years with effect from the date of this Order or so long as Dr. Raffaella Scolletta, who possesses the said qualification, continues to work in the Fatima Clinic, Mahanagar, Lucknow, to which she is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Raffaella Scolletta shall be limited.

[No. F. 16-40/61-MI.]

## MINISTRY OF RAILWAYS

### (Railway Board)

*New Delhi, the 26th July 1962*

**S.O. 2469.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President is pleased to make the following amendment to the Railway Services (Authorised Pay) Rules, 1960, published with the Ministry of Railways Notification No. PC-59/ROP-1/1 of 2nd August 1960, namely:—

1. After Rule 13 of the Railway Services (Authorised Pay) Rules, 1960, the following shall be inserted, namely:—

**"13A. Regulation of pay in certain specified Class I Services.**—Where a Railway servant holding a post in junior scale in the Services specified in Part 'A' of the Table below is appointed to a post in the senior scale after the first day of July, 1959, he shall draw pay in the senior scale, at the stage in Part 'B' of the said Table, corresponding to the stage of the pay he would have drawn in the junior scale from time to time but for his appointment to the post in the senior scale.

#### TABLE

##### PART A

- (i) Indian Railway Service of Engineers
- (ii) Indian Railway Accounts Service
- (iii) Superior Revenue Establishment of Indian Railways comprising of the following departments—
  - (a) Transportation (Traffic) & Commercial Deptt.
  - (b) Mechanical Engineering and Transportation (Power) Department.
  - (c) Electrical Engineering Department.
  - (d) Signal & Tele-communication Department.
  - (e) Stores Department.

##### PART B

Stage	Pay in Junior scale	Pay in Senior scale
1st	400	As in Note 1 below
2nd	400	As in Note 1 below
3rd	450	As in Note 1 below
4th	480	As in Note 1 below
5th	510	700
6th	540	700
7th	570	740
8th	600	780
9th	635	820
10th	670	860
11th	705	900
12th	740	940
13th	775	980
14th	810	1020
15th	845	1060
16th	880	1100
17th	915	1100
18th	950	1150
19th	950	1150
20th	950	1200
21st	950	1200
22nd	950	1250

NOTE 1.—A Railway servant on the junior scale drawing pay at the 4th stage of that scale or below it, when appointed to the senior scale shall draw a special pay of Rs. 150 per mensem in addition to the pay admissible in the junior scale.

NOTE 2.—The initial pay of a Railway servant promoted substantively to a permanent post in the junior scale subsequent to 1st July 1959, shall not be less than Rs. 450 per mensem."

2. In the Explanatory Memorandum on the Railway Services (Authorised Pay) Rules, 1960, after the para relating to "Rule 13(2)", the following shall be inserted, namely:—

"Rule 13-A. This Rule applies in respect of appointments to senior scale after 1st July 1959. In respect of officers who were in the prescribed senior scale on 1st July 1959, their pay in the authorised senior scale will be fixed under Rule 10 or Rule 13 of these rules according as the officer elects the authorised scale from 1st July 1959 or from a subsequent date. If, however, such an officer reverts to the junior scale after 1st July 1959 and is re-appointed to the senior scale thereafter, his pay will be regulated at a stage corresponding to the junior scale. If such an officer's tenure in the senior scale is interrupted by leave and it is certified that but for his proceeding on leave he would have continued to officiate in the senior scale, such interruption will not be construed as 'reversion' to the junior scale.

The benefit of Note 2 will be admissible only to a Railway servant promoted to the Services concerned in accordance with the rules of recruitment to that Service and will not apply to persons appointed on the basis of results of competitive examinations even if they are in service at the time of such appointment."

[No. PC-60/ROP-1/9.]

M. S. SUNDARA, Dy. Director,

Pay Commn., Ry. Bd.

## MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 23rd July 1962

S.O. 2470.—In pursuance of sub-section (4) of section 3 of the Mica Mines Labour Welfare Fund Act, 1946 (22 of 1946), the Central Government hereby publishes the following report of the activities financed from the Mica Mines Labour Welfare Fund during the year ending the 31st March 1962, together with a statement of accounts for that year and an estimate of receipts and expenditure of the said Fund for the year 1962-63.

### PART I

**General.**—The Mica Mines Labour Welfare Fund constituted under the Mica Mines Labour Welfare Fund Act, 1946 (22 of 1946) is intended to provide educational, recreational and other welfare amenities to the labour employed in the mica mining industry.

The Act provides for the levy of a duty of customs on all mica exported from India upto a maximum rate of 6½% *ad valorem*. The present rate is 2½%.

The collections are allocated for expenditure on welfare measures among the various mica-producing areas in proportion to their average production.

The following welfare measures have so far been undertaken in Bihar, Andhra Pradesh and Rajasthan:—

#### (i) Improvement of medical facilities.—

(a) **Hospitals.**—A 70-bed hospital at Karma (Bihar), a 15-bed hospital at Tisri (Bihar) and a 14-bed hospital at Kajchedu (Andhra Pradesh) to cater to the medical needs of the mica miners. The construction of a 30-bed hospital at Gangapur (Rajasthan) is almost complete and the construction of a 50-bed T.B. hospital as an adjunct to the Central Hospital, Karma, is in progress.

(b) **Other medical facilities.**—Other medical institutions set up by the Fund comprise 6 static dispensaries, 3 mobile medical units, 2 ayurvedic dispensaries, 2 maternity and child welfare centres and 4 community centres in Bihar, 3 static dispensaries, one mobile dispensary, 2 ayurvedic dispensaries and 4 maternity centres in Andhra Pradesh,

and 5 dispensary-cum-maternity and child welfare centres, 5 mobile medical units, 11 ayurvedic dispensaries and 4 multi-purpose centres in Rajasthan.

Ten beds have been reserved in the T.B. Sanatorium at Ranchi for the exclusive use of the mica miners and their families. Eight beds have been reserved in the T.B. Hospital, Nellore, for the exclusive use of mica miners and their families. Steps are being taken to reserve 3 more beds at this hospital. Arrangement was made for treatment of mica miners of Bihar suffering from leprosy at the Tetulmari Leprosy Hospital. The Fund makes grants-in-aid to the institutions for the reservation of beds.

(c) *Assistance to T.B. Patients.*—A subsistence allowance at Rs 50 p.m. is being granted to the dependents of mica miners who are under treatment in the T.B. ward attached to the Central Hospital, Karma or at the T.B. Sanatorium, Ranchi. The scheme of domiciliary treatment of T.B. and Silicosis patients was also continued. The patients attending the out-door department of T.B. Hospital, Nellore were granted travelling allowance.

(d) *Training.*—The mica miners in Andhra Pradesh are being trained in first aid.

(ii) *Educational Facilities.*—Seven multi-purpose institutes, each with an Adult-Education Centre and a Women's Welfare Centre, provide educational and recreational facilities to workers in Bihar. Training in handicrafts like sewing and knitting is given to women attending the centres. Each institute serves as a training-cum-production centre. One community centre is functioning in Andhra Pradesh where male workers learn carpentry in their leisure time. In 2 women's centres in Andhra Pradesh and 8 centres in Rajasthan, girls and women workers are taught tailoring, stitching, etc. Educational facilities for miner's children are being provided in 6 primary schools, 7 community centres and 8 feeder centres in Bihar; 2 primary schools, one middle school and 25 Adult Education Centres in Rajasthan; and 6 primary schools, one High School and one Middle School in Andhra Pradesh.

In all the schools in Andhra Pradesh, children are provided with facilities like free mid-day meals, milk, books, slates, clothing, bags and chappals. Milk and snacks are provided to the miners' children attending the multi-purpose institutes in Bihar. Mid-day meals, books and slates and other stationery articles are supplied to the school-going children of mica miners in Rajasthan.

Two boarding houses in Bihar and 2 in Andhra Pradesh are being run for the children of mica miners studying in schools and colleges.

Scholarships are granted to the children of mica miners studying in schools and colleges. In Bihar and Rajasthan, such scholarships are granted for both general and technical education.

(iii) *Recreational facilities.*—Three mobile cinema units, 2 in Bihar and one in Rajasthan, give free shows in different mining centres; 18 Radio sets in Bihar; 13 in Andhra Pradesh and 25 in Rajasthan provide recreation to mica miners and their families. In Bihar the recreational facilities are provided at Multi-purpose, Community and Feeder Centres. Out-door and in-door recreational facilities are also provided at the centres and sub-centres in Rajasthan. Bhajan parties and recreational clubs have also been set up in different mining areas.

A team of mica miners of Bihar was sent on excursion-cum-study tour of India. Competitive sports were also held in all the three States.

(iv) *Drinking water facilities.*—26 wells—22 in Bihar and 4 in Andhra Pradesh, have been constructed by the Fund. 10 additional wells, 3 in Bihar and 7 in Andhra Pradesh, have been sunk under the Subsidy Scheme, according to which the mine owners who sink wells get a subsidy equal to Rs. 7,500 per well or 75% of the cost of construction, whichever is less. 3 more wells are being sunk under this scheme in Andhra Pradesh. A dam has also been constructed in Bihar.

(v) *Housing facilities.*—As there was no response to the earlier Schemes introduced in 1953 and 1955, a New Subsidised Housing Scheme was sanctioned during 1960. Under this Scheme the mica mine owners who construct miners' quarters according to plans and specifications approved by the Fund are entitled to a subsidy equal to 50% of the cost of construction, subject to certain ceilings.

**Construction of Colonies.**—In addition to the above Scheme it has been decided to have 2 housing colonies, each consisting of 50 houses, to be built directly by the Fund in the mica mining areas in Bihar. These houses are to be let out on a nominal rent. Construction of a colony at Jorasimar is in progress.

(vi) **Financial help in case of accidents.**—The Scheme relating to the grant of financial assistance from the Fund to the widows and children of miners who die as a result of accidents was continued.

PART II—*Statement of Accounts for the year 1961-62*

Receipts		Expenditure	
	Rs.		Rs.
Opening balance on the 1st April, 1961	2,07,40,580	Andhra Pradesh	4,07,195
		Bihar	14,38,453
		Rajasthan	6,06,395
Receipts during the year	23,76,843	Closing Balance	2,06,65,380
	2,31,17,423		2,31,17,423

PART III—*\*Estimates of Receipts and Expenditure 1962-63*

	Rs.	Rs.
		25,00,000
Receipt Expenditure	Andhra Pradesh	6,17,000
	Bihar	17,53,000
	Rajasthan	10,30,000
		34,00,000

\*Accepted for Budget estimates for 1962-63.

[No. 23(10)62-MIII.]

R. C. SAKSENA, Under Secy.

New Delhi, the 24th July 1962

**S.O. 2471.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Ashakutty/Phularitand Colliery, Post Office Katrasgarh, District Dhanbad and their workmen.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, DHANBAD.

REFERENCE No 10 of 1961.

Employers in relation to the Ashakutty/Phularitand colliery P.O. Katrasgarh, Dt., Dhanbad.

AND

Their workmen.

**PRESENT:** Shri Salim M. Merchant, Presiding Officer.

**For the Employers.**—Shri S. S. Mukherjea, Advocate, with Shri M. R. Banerjee, Chief Mining Engineer.

*For the workmen.*—Shri Shankar Bose, Member, Executive Committee, Colliery Mazdoor Sangh.

*Dhanbad, the 11th July, 1962.*

INDUSTRY: Coal Mining.

STATE: Bihar.

### AWARD.

The Government of India, Ministry of Labour and Employment Order No. 2/113/60-LRII, dated 21st March, 1961, made in exercise of the powers conferred by sub-clause (d) of sub-section (1) of Section 10, of the Industrial Disputes Act, 1947, (Act XIV, of 1947), was pleased to refer the industrial dispute between the parties above named in respect of the subject matter relating to whether the retrenchment of the 90 workers listed in the schedule to the said order of Incline No. 2/9, of Ashakuty/Phularitand Colliery was justified and, if not, to what relief they are entitled.

2. After the parties filed their respective statements of claim, at the adjourned hearing of this dispute on 10th July, 1962, the parties filed a joint application recording the terms of settlement which had been reached between them and prayed that an award be made in terms thereof. A copy of the said application of the parties is annexed hereto and marked Annexure 'A', and as I am satisfied that the terms of settlement are fair and reasonable I make an award in terms thereof.

3. No order as to costs.

Sd./- SALIM M. MERCHANT,  
Presiding Officer,

Central Govt., Industrial Tribunal,  
Dhanbad.

### ANNEXURE A

BEFORE THE HON'BLE PRESIDING OFFICER CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL, DHANBAD.

REF. No. 10 of 1961.

### BETWEEN

The Employers in relation to the Ashakuty, Phularitand colliery, P.O.  
Katrasgarh.

### AND

Their Workmen, represented by the Colliery Mazdoor Sangh, Dhanbad  
*Memorandum of Settlement.*

The Parties above-named, most respectfully beg to submit as under:

(1) That the above referred matter is pending before this Hon'ble Tribunal for adjudication.

(2) That the parties have settled the issue in terms mentioned hereunder:—

(a) That the employers have already paid retrenchment compensation to eligible workmen except three, namely (i) Shri Sirendra Kumar Uphadhaya, (ii) Shri Bhikhan Sah and (iii) Shri Ram Chandra Pasi;

(b) That the employers now agree to pay the above named three workmen also full retrenchment compensation.

(c) That the said payment will be made within one month from the date of the settlement.

(d) That the workmen do not press for reinstatement.

(e) That the parties will bear their own costs.

(3) That it is prayed, this Hon'ble Tribunal may graciously be pleased to accept this settlement and pass an award in terms thereof.

And for this the parties, as in duty bound shall ever pray.

For the workmen.

SHANKAR BOSE,  
Member, Central Executive  
Committee, Colliery Mazdoor  
Sangh, Dhanbad.

(1) For the Employers:—  
M. R. BANERJI,  
Chief Mining Engineer.

(2) S. S. MUKHERJI,  
Advocate.

Before me.

Sd./- SALIM M. MERCHANT,  
Presiding Officer,  
Central Govt., Industrial Tribunal,  
Dhanbad.

S.O. 2472.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the B. Roy's Ramkanali Colliery, Post Office Katrasgarh, Dhanbad and their workmen.

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: CALCUTTA.

REFERENCE No. 19 of 1962.

#### PARTIES:

The employers in relation to the B. Roy's Ramkanali Colliery.

AND

Their workmen.

#### PRESENT:

Shri L. P. Dave.—*Presiding Officer.*

#### APPEARANCES:

*On behalf of the employers.*—Shri C. R. Roy, Manager, Ramkanali Colliery.

*For the workmen.*—Shri Prasanta Kumar Burman, General Secretary, Koyla Mazdur Sabha, Dhanbad.

STATE: Bihar.

INDUSTRY: Coal Mines.

#### AWARD.

The Government of India, Ministry of Labour and Employment by their Order No. 2/236/61-LRII, dated the 28th December, 1961, referred the industrial dispute existing between the employers in relation to the B. Roy's Ramkanali Colliery and their workmen in respect of the matters mentioned below for adjudication to this Tribunal.

"Whether the dismissal of 11 workmen, mentioned in the annexure, by the management of Ramkanali Colliery on 7th October, 1961, was justified? If not, to what relief are these workmen entitled?"

#### ANNEXURE

1. Shri Faguni Bhuia.
2. Shri Bajoa Bhuia (1).
3. Shri Jahala Bhuia.
4. Shri Jhamna Bhuia.
5. Shri Bajoa Bhuia (2).
6. Shri Budhna Bhuia.
7. Shri Lakhai Kairi.
8. Shri Ramprasad Kumar.
9. Shri Bhuali Jesowara.
10. Shri Ramsumer Jesowara.
11. Shri Bhukna Bhuia.

2. The workmen's case is that there was no Union in the colliery; that a Union was formed; that prior to the formation of the union, the employer used to deprive their workmen of their lawful wages etc.; that after the union was formed, the employers could not do so and therefore they developed a hatred towards the union; that the workmen concerned in the present dispute were active workers of the union; that a chargesheet was served on them and a fake enquiry was held without sufficient notice and without allowing an opportunity to arrange for the defence; that the enquiry was tainted with bias; that the evidences were perverse; that ultimately the workmen were dismissed which order of dismissal was unjust, unfair and *malafide*; the workmen therefore prayed that the workers involved in this reference should be reinstated with full back wages.

3. The employers by their written statement denied the allegations made in the workmen's written statement and contended that the workmen concerned were arrested by the Police on suspicion of theft; that workers nos. 4 and 5 and one Mangru Kolri who were surface trammers were found sleeping while on duty; then one Ramjanam Gope, chaprasi, tried to awake them; that they got up and abused him and when he protested, the workmen concerned in this dispute left their working places and along with other chased the said Ramjanam Gope and seriously assaulted him; that for this they were duly charge sheeted; that proper enquiry was held after giving full chance and opportunity to cross-examine the witnesses; that the charge against the workmen was found proved

and so they were dismissed. The employers therefore urged that the workmen were not entitled to any relief.

4. When the matter came up for hearing before me on 9th July, 1962, the parties informed me that a talk of compromise was going on between them and some time should, therefore, be granted to enable them to settle the matter, if possible. The matter was thereupon adjourned till to-day. When the matter was called out to-day, the parties stated that the matter was settled between them and produced a memorandum of settlement, copy of which is appended herewith.

5. The dispute relates to eleven workmen who were dismissed. Under the terms of compromise six of these workmen are to be reinstated immediately and the other five are to be reinstated within two months. The period of absence is to be treated as 'leave without wages' in all cases and there is going to be a continuity of service. In my opinion, the compromise is fair and reasonable. I therefore accept it.

6. In the result, I pass an award in terms of the compromise.

Sd./- L. P. DAVE,  
Presiding Officer.

12th July, 1962.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL, CALCUTTA.

REFERENCE No. 19 OF 1962.

Employers in relation to B. Roy's Ramkanali Colliery.

AND

Their workmen.

Parties abovenamed beg to state that without prejudice to the contention of the parties the above reference has been settled amicably on the following terms:—

1. That out of 11 workmen mentioned in the schedule of the reference Sarbashree Bhukna Bhuia, Budhna Bhuia, Jhamna Bhuia, Jahala Bhuia, Bhuali Jesowara, and Ramsumer Jeswara will be reinstated on the dates they report for their duties with continuity of service.
2. That the period from 7th October, 1961, to the date they join will be considered as on leave without pay for the purpose of continuity of service only.
3. That the above workmen should report for their duties within a week from the date of this compromise.
4. That Sarbashree Ragunia Bhuia, Ramprasad Kumar, Lokhai Koiri, Bajwa Bhuia No. 1, Bajwa Bhuia No. 2, the other workmen concerned in the reference will be reinstated within two months from the date of Honbl. Tribunal's order on this compromise. Sree Mangru Koiri has left the colliery.
5. That the workmen mentioned in para 4 should report for the duties within 7 days from the date of the receipt of the notice intimating their reinstatement.
6. That there will be no break in the continuity of service of the above workmen and the period from 7th October, 1961, to the date of their joining will be considered as if on leave without wages for the purpose of continuity of service only.
7. That the parties will bear their own respective costs.

It is therefore humbly prayed that the above compromise may kindly be recorded and the award passed in terms thereof.

For workmen.  
PRASANTA KUMAR BURMAN,  
General Secretary, Koyla  
Mazdur Sabha, Dhanbad.

For Employers.  
C. R. Roy,  
Manager, Ramkanali,  
Colliery.

[No. 2/236/61-LRIL.]

New Delhi, the 26th July, 1962.

S.O. 2473.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of an application under Section 33-A,



of the said Act, from Shri Tribeni Tiwari, Watchman, Tata's Jamadoba Colliery, Dumri No. 4, P.O. Bhowrah, District Dhanbad.

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

Application No. 95 of 1960 in Reference Nos. 27 and 34 of 1960—U/s. 33-A, of Industrial Disputes Act, 1947.

In the matter of a complaint under Section 33-A of I.D. Act, 1947.

#### PARTIES:

Shri Tribeni Tiwari, Watchman, Tata's Jamadoba Colliery Dumri, No. 4, P.O. Bhowrah, Dt., Dhanbad.—*Complainant*.

*Vs.*

M/s. Tata Iron and Steel Co., Ltd., Jamadoba P.O. Jealgora, Dt. Dhanbad.—*Opp. party*.

*Dhanbad, dated the 11th July, 1962.*

#### APPEARANCES:

Shri B. N. Sharma, Member, Executive Committee, Colliery Mazdoor Sangh,—*for the complainant*.

Shri S. N. Singh, Welfare Officer,—*for the opposite party*.

STATE: Bihar.

INDUSTRY: Coal.

### AWARD

This is a complaint purporting to be under Section 33-A, of the Industrial Disputes Act, 1947, (XIV of 47), and is directed against the dismissal from service of the complainant by the opposite party's letter dated 2nd September, 1960. It is admitted that the complainant was working as a watchman in the opposite party's colliery and that he was dismissed for the misconduct of having been found sleeping whilst on duty.

2. Now the complaint is that there has been a violation of Section 33, of the Industrial Disputes Act, 1947, by the management during the pendency of the said industrial dispute—Reference No. 27, of 1960, and 34, of 1960, in which it is stated that the complainant was a workman concerned. According to the complainant the violation of Section 33 has taken place inasmuch as the conditions prescribed by Section 33(2)(b) of the Industrial Disputes Act, 1947, have not been fulfilled by the management.

3. Now, it is admitted that the company had in fact filed an application on 3rd September, 1960, under Section 33(2)(b) of the Industrial Disputes Act, 1947, (XIV of 47) before this Tribunal seeking its approval of its action in dismissing the complainant Tribeni Tiwari from its service. This application was disposed of as not maintainable by an order made by this Tribunal on 10th March, 1961, on the ground that the proceedings in Reference No. 27 of 1960, and Reference No. 34 of 1960 had concluded by that date and the Tribunal had become *functus officio* and had no jurisdiction thereafter to entertain the application. Now it is well settled law that before a complaint under Section 33-A, can be maintained it must be established that there has been a violation of Section 33 of the Act. Shri B. N. Sharma says that there has been a violation of Section 33(2)(b) inasmuch as (1) the company had not paid the complainant one month's wages and (2) it has not filed the application under Section 33(2)(b) in time. But I find from the record of the proceedings that the company's application under Section 33(2)(b) was filed on 3rd September, 1960, the date on which the complainant was dismissed from service. It is also established that the complainant was offered one month's wages which he was asked to collect on 3rd September, 1960. From the endorsement shown to me in the delivery peon book of the company, I find that the letter asking him to collect his one month's wages was sought to be served upon Tribeni Tiwari on 3rd September, 1960, and that it was returned by the Watch and Ward Department on 4th September, 1960, on his refusal to accept the same. Thereafter, the notice was sent to him under registered post on 5th September, 1960, and he received this on 10th September, 1960. I am, therefore, satisfied that both the conditions of Section 33(2)(b) were complied by the management and that there has been no violation of the provisions of Section 33 of the Industrial Disputes Act, 1947 by the management.

4. In the result, the complaint is not maintainable and is therefore dismissed as such. I can, however, make it clear that I must not be understood to have

expressed any opinion on merits of the dismissal of the complainant or on his claim for reinstatement in service or for any other relief I have only held that this complaint is not maintainable as there has been no breach of Section 33 of the Act by the opposite party

(Sd) SALIM M. MERCHANT,  
*Presiding Officer,*  
Central Govt., Industrial Tribunal,  
Dhanbad.

[No 8/32/62-LRII]

**S.O. 2474**—In pursuance of section 17, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of an application under Section 33-A of the said Act, from Shri Bahadur, Pick Miner, Noonodih-Jeetpur Colliery

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD**  
Application No 97 of 1960

(ARISING OUT OF REFERENCE No 27 of 1960)

**PARTIES—**

Shri Bahadur, Pick Miner, Noonodih-Jeetpur Colliery—*Applicant.*

*vs.*

The Management of Noonodih-Jeetpur Colliery—*Opposite party*

In the matter of a complaint under section 33-A of the Industrial Disputes Act, 1947 (Act XIV of 1947).

**PRESENT:**

Shri Salim M Merchant,—*Presiding Officer.*

*Dated 12th July, 1962*

**APPEARANCES—**

*For the opposite party.*—Shri S K. Kanwar, Deputy Labour and Welfare Super-intendent with Shri K. K Paul, Welfare Officer

*For the applicant.*—Shri B N Sharma, Member, Executive Committee, Colliery Mazdoor Sangh.

**STATE Bihar**

**INDUSTRY Coal Mining**

### AWARD

This is a complaint purporting to be under section 33-A of the Industrial Disputes Act, 1947, and it is directed against the alleged dismissal of the complainant from service from the Noonodih-Jeetpur Colliery which is owned by Messrs Indian Iron & Steel Co., Ltd. The complainant's case is that he had been working as a pick miner in this colliery for nine years and was paid wages under the Majumdar Award as modified by the Decision of the Labour Appellate Tribunal of India, that provident fund was deducted on the basic wages earned by him as a pick miner and that bonus, earned leave with pay, and festival holiday payments were calculated on the basis of wages which the applicant received as a pick miner. He has stated in his complaint that from 12th September, 1960, he was asked to work as a hazri babu mazdoor at the rate of wages of a category I employee to which he objected on the ground that his wages and conditions of service would be adversely affected. But his objection was not heeded and thereafter although he reported for duty every day he was not allowed to work, whereupon he addressed a letter to the Manager of the Colliery dated 7th October, 1960, (Annexure 'A' to the applicant's written statement). He received no reply to this application and the management continued to refuse him employment and that after waiting for two months he filed this application. He has alleged that he was a workman concerned in the industrial dispute Reference No 27 of 1960, which was then pending before this Tribunal and that the management had committed a breach of section 33 of the Industrial Disputes Act, in refusing him employment from 12th September, 1960.

2 The management in its written statement in reply has stated that this application cannot lie as Reference No 27, of 1960, was disposed of by a Decision dated 31st October, 1960. But I find that that Decision was published in the

Gazette of India dated 26th November, 1960, and that the proceedings in Reference No. 27, of 1960, can be deemed to have concluded only a month thereafter i.e., on 26th December, 1960. As this complaint was, however, filed on 3rd December, 1960, it must be held that it was filed in time.

3. On the merits, the company's contention is that the complainant was a badli miner who started working with the company as such from 5th July, 1957, and continued to be a badli miner upto 12th September, 1960. The company's case is that prior to 5th July, 1957, he had never worked with the company, that badli appointment slips were issued to him every time he was put as a substitute and that he never put in 240 days consecutive attendance in a year. The company's case is that the applicant had himself refused badli employment on the ground that he was a permanent workman and thereupon did not take fresh appointment slips; that the applicant had worked under different miners' sirdars as a badli miner whenever the permanent miner had gone on leave, that the provident fund scheme does not exclude a badli workman from getting its benefit and that bonus, leave pay and festival holidays are also admissible to badli workers upon their fulfilling certain conditions and that payment of bonus and grant of leave and festival holidays does not make the applicant permanent.

4. At the hearing before me on 11th July, 1962, at the request of the applicant, Shri H. B. Banerjee, an Upper Division Clerk from the Office of the Coal Mines Provident Fund Commissioner produced the 'H' form returns from the Noonodih-Jeetpur Colliery for the quarter ending 1957, showing the name of the applicant as mason mazdoor and his provident fund account as allotted No. C/255424. Shri Banerjee stated that the 'H' form Return was made under para 38 of the Coal Mines Provident Fund Scheme by the Noonodih-Jeetpur Colliery and that on 20th August, 1957, Bahadur had nominated his provident fund in favour of his wife. It is, however, admitted that even badli workers are entitled to the benefit of the Coal Mines Provident Fund Scheme and the fact that he had become a member of the Provident Fund Scheme does not establish that he was a permanent employee.

5. The management's case is that for the first time on 16th July, 1957, the complainant worked as a badli miner in place of a permanent minor and worked as such upto 1st August, 1957. His next appointment as badli miner was on 17th August, 1957, and it lasted till 23rd August, 1957. The company's case is that prior to 16th July, 1957, he was working as a mason mazdoor with a petty contractor starting with the third quarter of 1955, and that is why in his provident fund 'H' form return he has been shown as mason mazdoor. The management has stated and this was not contradicted by the applicant, that from July, 1957, to 31st December, 1957, the applicant had put in only 111 days attendance as badli miner; that his attendance as badli during 1958, 1959 and 1960 upto 12th September, 1960, was 201, 179 and 179 days respectively. The management at the hearing offered inspection to Shri Sharma, representing the applicant, of the badli appointment slips which had been issued to the applicant from 16th July, 1957, and the badli appointment register which gives details of the period for which he had done badli work. But Shri Sharma declined even to inspect the badli slips or the badli register.

6. From the submissions made by the parties and from the manner in which the badli slips and the badli register are maintained and from the number of days' attendance which the applicant had put in since 1957, I am more than satisfied that he was a temporary badli worker who was appointed for badli work for fixed periods during the absence of the permanent workman. I am also satisfied that from 12th September, 1960, the applicant refused to accept badli work and insisted on being given permanent work. As I am satisfied that he was a badli worker his services terminated at the expiry of the period during which he was appointed as a substitute in place of the permanent workman and therefore it was not necessary for the company to have made an application to this Tribunal under section 33 of the Act. I am therefore satisfied that there has been no contravention of section 33 of the Act and this complaint is therefore not maintainable under section 33-A of the Act.

7. The complaint is therefore dismissed as not maintainable. No order as to costs.

Sd./- SALIM M. MERCHANT,  
Presiding Officer,  
Central Govt., Industrial Tribunal,  
Dhanbad.

**S.O. 2475.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the B. Roy's Ramkanali Colliery and their workmen.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD**

REFERENCE No. 9 OF 1962.

**PARTIES:** Employers in relation to the B. Roy's Ramkanali Colliery

AND

Their workmen

*Dhanbad, dated the 13th July 1962*

**PRESENT:**

Shri Salim M. Merchant,—*Presiding Officer*

**APPEARANCES:**

Shri Prosanta Burman, General Secretary, Bihar Koyla Mazdoor Sabha,—*for the workmen.*

Shri C. R. Roy, Manager,—*for the employers*

**INDUSTRY:** Coal.

**STATE:** Bihar.

**AWARD**

The Government of India, Ministry of Labour & Employment, by order No. 2/237/61-LRII dated the 6th February 1962, made in exercise of the powers conferred by clause (d) of sub-sec.(1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 47), was pleased to refer the industrial dispute between the parties above named in respect of the subject matters specified in the following schedule to the said order to me for adjudication.

"Whether the dismissal of Shri Mohar Mahato by the management of Ramkanali Colliery on 6th September, 1961, was legal and justified. If not, to what relief is he entitled?"

2. At the adjourned hearing of this dispute on 12th July, 1962, the parties filed the terms of settlement that had been reached between them and prayed that an award be made in terms thereof. A copy of the joint application of parties incorporating the terms of settlement is annexed hereto and marked Annexure 'A', which shall form of this award.

3. Under the terms of settlement the management has agreed to reinstate the dismissed workman Mohar Mahato in service with continuity of service on his reporting for his duties within a week from the date of this compromise application. As I am satisfied that the terms of settlement are fair and reasonable, I make an award in terms thereof.

Sd./- SALIM M. MERCHANT,  
*Presiding Officer,*  
Central Govt., Industrial Tribunal,  
Dhanbad.

**BEFORE THE PRESIDING OFFICER GOVERNMENT OF INDIA, INDUSTRIAL TRIBUNAL, DHANBAD**

REFERENCE No. 9 OF 1962

Employer in relation to Ramkanali colliery

AND

Their Workmen.

Parties abovenamed beg to state that without prejudice to the contention of the parties the above reference has been settled amicably on the following terms:—

1. That the workmen mentioned in the schedule of the reference Sri Mohar Mahato will be reinstated on the date he reports for his duties with continuity of service.

2. That the period from 6th September, 1961, to the date he joins will be considered as on leave without pay for the purpose of continuity of service only.

3. That the above workman should report for his duties within a week from the date of this compromise.

4. That the parties will bear their own costs.

It is therefore humbly prayed that the above compromise may kindly be recorded and the award passed in terms thereof.

For Workmen,  
PRASANTA KUMAR BURMAN,  
General Secretary,  
Koyla Mazdur Sabha, Dhanbad.

Sd./- SALIM M. MERCHANT,  
Presiding Officer,  
Central Govt., Industrial Tribunal,  
Dhanbad.  
For Employer,  
C. R. Roy,  
Manager, Ramkanali colliery.

[No. 2/237/61-LRII.]

*New Delhi, the 31st July, 1962.*

**S.O. 2476.**—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the Industrial Dispute between the employers in relation to the Kargali Colliery Workshop of National Coal Development Corporation and their workmen.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.**  
**REFERENCE No. 47 OF 1961.**

**PARTIES:**

Employers in relation to the Kargali Colliery Workshop of National Coal Development Corporation.

**AND**

Their workmen.

**PRESENT:**

Shri Salim M. Merchant, Presiding Officer.

**APPEARANCES:**

*For the employers.*—Shri D. Narsingh, Advocate, with Shri S. K. Dikshit, Labour Welfare Officer.

*For the workmen.*—No appearance.

*Dhanbad, dated the 13th July, 1962.*

**INDUSTRY:** Coal Mining.

**STATE:** Bihar.

**AWARD.**

The Government of India, Ministry of Labour and Employment, by its Order No. 2/194/60-LR. II, dated 14th June, 1961, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10, of the Industrial Disputes Act, 1947, (XIV of 47), was pleased to refer the industrial dispute between the parties above named in respect of the subject matters specified in the following schedule to the said order to me for adjudication.

**SCHEDULE.**

“Whether the management was justified in placing Shri Samoundi, Mechanical Fitter in Category IV, under the award of the All India Industrial Tribunal (Colliery Disputes) and if not, to what relief is he entitled?”.

2. After the reference was received as in spite of notices, no written statement of claim was filed on behalf of the workmen, the dispute was fixed for hearing on 31st January, 1962, and notices were sent to the parties by registered post, when Shri D. Narsingh, Advocate, appeared for the employers, but there was no appearance for the workmen, on that or on the adjourned date of hearing on 16th April, 1962. The workmen have also not appeared or been represented at the hearing of this reference on 12th July, 1962.

3. Shri D. Narsingh, Advocate, for the employers explained that the management was opposing the claim of Shri Samoundi to be classified in Category VII, as he was a mechanical Fitter for whom the proper category was Category IV, and that Shri Samoundi had failed in the trade test held on 3rd June, 1959, for determining which workmen are fit to be promoted from category IV to Category VII.

4. The claim under reference, however, fails and is rejected for want of prosecution.

5. No order as to costs.

Sd./- SALIM M. MERCHANT,  
Presiding Officer,  
Central Govt. Industrial Tribunal,  
Dhanbad.

[No. 2/194/60-LRII.]

**S.O. 2477.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Bauxite Mines of Aluminium Corporation of India, Post Office Lohardaga and their workmen.

# BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 53 OF 1960.

## PARTIES:

Employers in relation to the Bauxite Mines of Aluminium Corporation of India, Post Office Lohardaga.

AND

Their workmen.

## PRESENT:

Shri Salim M. Merchant, Presiding Officer.

## APPEARANCES:

Shri D. Narsingh, Advocate, with Shri D. Parkash, Personal Officer, and Shri S. C. Jain, Bauxite in Charge—for the employers

No appearance—for the workmen.

STATE: Bihar.

INDUSTRY: Bauxite Mining.

Dated, Camp Bombay, 23rd July 1962.

## AWARD

The Government of India, Ministry of Labour and Employment, by its Order No. 25/27/59-LRII, dated 2nd December, 1960, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), was pleased to refer the industrial dispute between the parties above named, in respect of the subject matters specified in the following schedule to the said order, to me for adjudication.

## SCHEDULE

"(1) Whether the management of the Bauxite Mines of Messrs Aluminium Corporation of India, Lohardaga, is justified in not adding dearness allowance to basic wages for the purpose of contribution to the Provident Fund, and if not, to what relief are the workmen entitled with effect from 9th March, 1959?

(2) Whether the workmen employed in the said Mines are justified in demanding attendance bonus at the rate of 62 Naiya Paise for six days attendance per week and if so, to what relief are they entitled with effect from 9th March 1959?"

2. This dispute was last on board on 23rd May 1962 when there was no representative present on behalf of the workmen, but after the case had proceeded for some time, Shri Paul, Advocate, appearing for the union stated that he had just received a telephonic message that the union's representatives had missed the bus bringing them to Dhanbad in time and he applied for an adjournment. The dispute was, therefore, adjourned to 13th July 1962 and Shri Paul was informed of the date and the management was also directed to intimate the adjourned date to the Secretary of the Chotanagpur Bauxite Workers' Union on record. At the hearing on 13th July 1962 there was again no appearance for the workmen. The management produced a copy of the letter dated 14th June

1962 which it had addressed to the Secretary of the above union intimating him of the adjourned date, and he has produced a receipt for the same signed by Shri Kundan Lal Sinha, Joint Secretary of the union. I am, therefore, satisfied that the union and the workmen have failed to appear in spite of notices. In view of the absence of the workmen this reference is disposed of as non-prosecuted.

Now order as to costs.

Sd./- SALIM M. MERCHANT,  
Presiding Officer,  
Central Government Industrial Tribunal, Dhanbad.

[No. 25/27/59-LRII.]

#### ORDERS

*New Delhi, the 25th July 1962*

**S.O. 2478.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Dhori Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, with Shri Hemanta Kumar Chaudhury as the Presiding Officer, with headquarters at Patna, and refers the said dispute for adjudication to the said Industrial Tribunal.

#### SCHEDULE

Was Shri Tawhid Khan, a Driver at Dhori Colliery, rightly dismissed with effect from the 10th June, 1961 and if not, to what relief he is entitled?

[No. 2/37/62-LRII.]

*New Delhi, the 26th July, 1962*

**S.O. 2479.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Bhilai Steel Project of Hindustan Steel Limited and their workmen employed in Nandini Lime Stone Mines in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby refers the said dispute for adjudication to be Industrial Tribunal, Bombay, constituted under section 7-A, of the said Act.

#### SCHEDULE

Whether the workers employed in Nandini Lime Stone Mines of Bhilai Steel Project of Hindustan Steel Limited residing at Nandini are entitled to transport facilities for going to their work places and back to their houses?

[No. 22/1/62-LRII.]

*New Delhi, the 27th July 1962*

**S.O. 2480.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Akhalpur Colliery, P.O. Nandi, Burdwan, West Bengal and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7-A, of the said Act.

#### SCHEDULE.

Whether the dismissal of Shri Kissen Shaw with effect from the 21st February, 1962, by the management of Akhalpur Colliery, P.O. Nandi, Burdwan, West Bengal was justified? If not, to what relief is he entitled?

[No. 2/69/62-LRII.]

**S.O. 2481.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the New Jemehari Khas Colliery, P.O. J. K. Nagar, Burdwan, West Bengal and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under Section 7-A, of the said Act.

#### SCHEDULE.

Whether the termination of the services of Shri Ramdhan Rajbhar, by the management of the New Jemehari Khas Colliery P.O. J. K. Nagar, Burdwan, West Bengal was justified? If not, to what relief is he entitled?

[No. 2/71/62-LRII.]

*New Delhi, the 31st July 1962*

**S.O. 2482.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Palana Colliery, Palana (Bikaner), and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the management of the Palana Colliery was justified in laying off Shri-mati Gogli D/O Jetha Ram and the following other wagon loaders for 33 days during the months of January to March, 1962 and if not, to what relief are these workmen entitled?

1. Shrimati Soni D/O Panna Ram
2. Shrimati Lichhman D/O Khinya Ram
3. Shrimati Sadu D/O Raju Ram
4. Shrimati Goveril D/O Hanuta Ram
5. Shrimati Panki D/O Kumbha Ram
6. Shrimati Redhurl D/O Kana Ram
7. Shrimati Meera D/O Bhera Ram
8. Shrimati Dhurki D/O Ishar Ram
9. Shrimati Champali D/O Panna Ram
10. Shrimati Dhurki D/O Lalu Ram
11. Shrimati Khetu D/O Tikuram
12. Shrimati Lalki D/O Kesra Ram
13. Shrimati Sugni D/O Sohan Singh



14. Shrimati Chandni D/O Bhera Ram
15. Shrimati Jhamku D/O Sewa Ram
16. Shrimati Umedl D/O Puran Ram
17. Shrimati Udl D/O Mula Ram
18. Shrimati Mehatki D/O Bagta Ram
19. Shrimati Baluri D/O Hema Ram
20. Shrimati Manori D/O Hema Ram
21. Shrimati Soni D/O Shera Ram
22. Shrimati Rukman D/O Jodha Ram
23. Shrimati Pemi D/O Kishna Ram
24. Shrimati Soni D/O Ganga Ram
25. Shrimati Chandri D/O Nanu Ram
26. Shrimati Azima D/O Bholu Khan
27. Shrimati Muli D/O Nanda Ram
28. Shrimati Pemi D/O Kana Ram
29. Shrimati Rukhri D/O Ganga Ram
30. Shrimati Lalki D/O Sukh Ram
31. Shrimati Phulki D/O Prabhu Ram
32. Shrimati Jawari D/O Lalu Ram
33. Shrimati Nanuri D/O Chetan Ram
34. Shrimati Sundarl D/O Kheta Ram
35. Shri Nanu Ram S/O Dhura Ram
36. Shri Harji Ram S/O Kesra Ram
37. Shri Dhura Ram S/O Umeda Ram
38. Shri Kana Ram S/O Mangla Ram
39. Shri Sukha Ram S/O Budha Ram
40. Shri Magha Ram S/O Khema Ram
41. Shri Kalu Ram S/O Shera Ram
42. Shri Jetha Ram S/O Purba Ram.

[No. 5/11/62-LRII.]

**S.O. 2483.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bankola Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the dismissal of Shri Kumar Jaswara, Ash Dusting Mazdoor by the management of the Bankola Colliery was justified and if not, to what relief is he entitled?

[No. 2/219/61-LRII.]

**S.O. 2484.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the New Jemeharl Khas Colliery (Private) Ltd., P.O. J. K. Nagar, District Burdwan, West Bengal and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, Therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

## SCHEDULE

Whether the dismissal of Ch. Atwari Chamar, C.P. Miner by the management of New Jemehari Khas Colliery (Private) Limited, P.O. J. K. Nagar, District Burdwan, West Bengal was justified? If not, to what relief is he entitled?

[No. 2/70/62-LRII.]

**S.O. 2485.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the North Badjna Colliery of M/s North Badjna Coal Co. Private Ltd., and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, with Shri Hemanta Kumar Chaudhury as the Presiding Officer, with headquarters at Patna, and refers the said dispute for adjudication to the said Industrial Tribunal.

## SCHEDULE

Whether the action of the management of North Badjna Colliery of M/s North Badjna Coal Company Private Limited, P.O. Khas Jeenagora, District Dhanbad, in stopping Shri Monbodbh Rewani, driver, from work with effect from the 4th June, 1962, and later in terminating his services from the 14th June, 1962, was justified; if not, to what relief is Shri Rewani entitled.

[No. 2/74/62-LRII.]

A. L. HANDA, Under Secy.

*New Delhi, the 25th July 1962*

**S.O. 2486.**—In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby directs that for a period of two years from the date of issue of this notification, the provisions of sub-section (1) of section 13 of the said Act in so far as it regulates daily hours of work shall not apply to lime yard workers, bateyard workers and carriers employed in the scheduled employment in tanneries and leather manufactory in the Harness and Saddlery Factory, Kanpur for whom minimum wages have been fixed under the said Act, subject to the condition that the working day, inclusive of the intervals of rest, shall not spread over more than twelve hours on any day.

[No. LWI(I)-8(6)/60.]

K. D. HAJELA, Under Secy.

*New Delhi, the 25th July 1962*

**S.O. 2487.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Labour Court, Delhi, in the matter of an application under section 33A of the said Act from Shri Nanak Chand Jain, an employee of the State Bank of India.

BEFORE THE CENTRAL GOVERNMENT LABOUR COURT, DELHI

PRESENT:

Shri P. D. Vyas,

Central Government Labour Court, Delhi.

25th June, 1962.

Complaint under Section 33A of the Industrial Disputes Act, 1947.

COMPLAINT I.D. No. 83 of 1961.

Shri Nanak Chand Jain, 6200, Namak Ki Mandi, Agra—*Complainant.*

*Vs.*

The State Bank of India—*Opposite Party.*

Shri Anand Parkash—*for the workman.*

Shri Vidya Sagar—*for the Bank.*

In the matter of Complaint No. 77 of 1961 in Reference No. 1 of 1960, pending before the National Industrial Tribunal (Bank Disputes), Bombay-1.

#### AWARD

This is a complaint filed under Section 33A of the Industrial Disputes Act by one Shri Nanak Chand Jain, an employee of the State Bank of India. His case is that he has been discharged from service on 4th November 1960 in contravention of the provisions of Section 33 of the Act and that the said action taken against him is unjustifiable and illegal. The Bank on the other hand had filed an application under Section 33(2)(b) of the Industrial Disputes Act being O.P. No. 15 of 1961 for approval of the action taken against the employee concerned. Both these proceedings came up for consideration before my predecessor Shri E. Krishnamurthi and the question first arising before him was whether there was really any contravention on the part of the Bank so as to provide cause of action for a complaint under Section 33A of the Act. This point was heard by him and he by his order, dated 15th November 1961 held that the Bank before filing an application for approval under Section 33(2)(b) of the Act had not fulfilled the conditions laid down in the proviso thereto, according to which the worker concerned has to be paid one month's wages before an application for approval could lie before the Tribunal.

2. In view of the aforesaid order, dated 15th November 1961 the Bank's application under Section 33(2)(b) could not stand, but no formal order was made for its disposal. So far as I was concerned, when the point was already decided by my predecessor, that there was contravention on the part of the Bank so as to attract the provisions of Section 33A of the Industrial Disputes Act, the application for approval under Section 33(2)(b) did not survive and it had to be disposed of which I did by my order, dated 3rd April 1962 in the said O.P. No. 15 of 1961. As the complaint was considered to be competent by my predecessor the same was fixed for further hearing on merits, inasmuch as the complaint under Section 33A of the Act has to be heard and decided like a reference for adjudication. In the meantime the judgment of the Supreme Court in *Strawboard Manufacturing Company Vs. Gobind* was reported in 1962 I LLJ 420 and, in view of this decision, it has to be seen what proper order should be made in this complaint and for this purpose the parties' representatives were heard.

3. At the outset it may be noted that since the management had already made an application for approval under Section 33(2)(b) of the Act, that application required to be decided on its own merits and, if the conditions laid down in the proviso to Section 33(2)(b) were not fulfilled, the management would not be entitled to the order for approval as sought under the said section. If such an application were defective on any ground or could not succeed on merits, it would have its own fate, but in my opinion, when the management did come before the Tribunal with an application for approval, there arose no occasion for contravention of the provisions of Section 33 of the Act so as to entitle the aggrieved worker to file a complaint under Section 33A of the Act. In this connection we may refer to the legal effect of an order refusing approval, which has been laid down by Their Lordships in the case of *Strawboard Manufacturing Company*.

4. In the said case before the Supreme Court there arose a question of interpretation of Section 33(2)(b) of the United Provinces Industrial Disputes Act which is exactly in the same terms as Section 33(2)(b) of the Industrial Disputes Act. In the judgment of the Court delivered by His Lordship Wanchoo J., the provisions of the amended Section 33 of the Industrial Disputes Act have been examined with reference to its previous history and it was found: "the change, therefore, in the language used in the proviso to Sub-Section 2(b) clearly shows in our opinion that the legislature intended that the employer would have the right to pass an order of discharge or dismissal subject to two conditions, namely,

(i) payment of wages for one month; and

(ii) making of an application to the authority concerned for approval of the action taken.

The use of the word "approval" also suggests that what has to be approved has already taken place, though sometimes approval may also be sought of a proposed action. But it seems to us in the context that the approval here is of something done as otherwise it would have been quite easy for the legislature to use the words "for approval of the action proposed to be taken"..... There can therefore be no doubt that sub-section (2)(b) read together with the proviso contemplates that the employer may pass an order of dismissal or discharge before obtaining the approval of the authority concerned and at the same time make

an application for approval of the action taken by him. It is, however, urged on behalf of the respondent that if the employer dismisses or discharges a workman and then applies for approval of the action taken and the tribunal refuses to approve of the action, the workman would be left with no remedy as there is no provision for reinstatement in Section 33(2). We, however, see no difficulty on this score. If the tribunal does not approve of the action taken by the employer, the result would be that the action taken by him would fall and thereupon the workman would be deemed never to have been dismissed or discharged and would remain in the service of the employer. In such a case no specific provision as to reinstatement is necessary and by the very fact of the tribunal not approving the action of the employer, the dismissal or discharge of the workman would be of no effect and the workman concerned would continue to be in service as if there never was any dismissal or discharge by the employer. In that sense, the order of discharge or dismissal passed by the employer does not become final and conclusive until it is approved by the tribunal under Section 33(2). Then follow the remarks; "the next contention is as to when should an application be made. In this connection our attention was drawn to Section 33A of the Act which gives a right to the employer to apply for redress in case an employer contravenes the provision of Section 33 and there is no doubt that the proviso to Section 33(2)(b) should be so interpreted as not to whittle down the protection provided by Section 33A. As we read the proviso, we are of opinion that it contemplates the three things mentioned therein, namely,

- (i) dismissal or discharge;
- (ii) payment of wages; and
- (iii) making of an application for approval,

to be simultaneous and to be part of the same transaction, so that the employer when he takes action under Section 33(2) by dismissing or discharging an employee, should immediately pay him or offer to pay him wages for one month and also make an application to the tribunal for approval at the same time. When, however, we say that the employer must take action simultaneously or immediately, we do not mean that literally, for when three things are to be done, they cannot be done simultaneously but can only be done one after the other. What we mean is that the employer's conduct should show that the three things contemplated under the proviso, namely,

- (i) dismissal or discharge;
- (ii) payment of wages; and
- (iii) making of the application,

are parts of the same transaction. If that is done, there will be no occasion to fear that the employee's right under Section 33A would be affected....."

5. In the instant case the condition of payment of one month's wages having not been fulfilled by the employer, the application under Section 33(2)(b) of the Act for approval has failed as it can be seen from my order dated 3rd April 1962 read with the order of my predecessor dated 15th November 1961 referred to above. In the aforesaid Supreme Court case it has been held by Their Lordships that if the tribunal does not approve of the action taken by the employer, the result would be that the action taken by him would fall and thereupon the workman would be deemed never to have been dismissed or discharged and would remain in the service of the employer. In such a case no specific provision as to reinstatement is necessary and by the very fact of the tribunal not approving the action of the employer, the dismissal or discharge of the workman would be of no effect and the workman concerned would continue to be in service as if there never was any dismissal or discharge by the employer. Thus the legal effect of refusal of approval in an application under Section 33(2)(b) is that the employee concerned is *ipso facto* entitled to reinstatement and he should be deemed never to have been dismissed or discharged and would remain in the service of the employer. It is not Their Lordships view that the legal effect in such a case would be to entitle the employee concerned to file a complaint under Section 33A in order to obtain the due relief. It is just a co-incidence in the instant case that the proceedings under Section 33(2)(b) and Section 33A were simultaneously pending before the Tribunal, but in case no such complaint under Section 33A had been filed and there was only the application for approval under Section 33(2)(b) of the Act by the employer, on the failure of the said application the employee concerned would *ipso facto* be entitled to re-instatement as if he continued in service and there never was any dismissal or discharge by the employer.

6. In my opinion, nothing further is required to be done in this complaint and it becomes infructuous looking to the view expressed by Their Lordships in the case of the Strawboard Manufacturing Company, namely, that the order of discharge or dismissal passed by the employer does not become final and conclusive until it is approved by the tribunal under Section 33(2). Thus in the instant case the employer concerned should be deemed as if never discharged or dismissed and continuing to be in the service of the employer, and, if it were so, there exists no question of his having been dismissed or discharged in contravention of the provisions of Section 33 of the Act so as to give rise to a cause of action for a complaint under Section 33A of the Act. The complaint filed by the concerned employee is disposed of accordingly.  
(Six pages)

25th June, 1962.

(Sd.) P. D. VYAS,  
Central Government Labour Court: Delhi.

[No. 55(14)/61-LRIV.]

New Delhi, the 30th July 1962

S.O. 2488.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to M/S. Great Eastern Shipping Co. Ltd., Bombay and their workmen.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY**

REFERENCE No. CGIT-34 of 1961

Employers in relation to M/s. Great Eastern Shipping Co. Ltd., Bombay.

AND

their workmen

**PRESENT:**

Shri Salim M. Merchant, Presiding Officer.

*Dated at Bombay, 21st July, 1962*

**APPEARANCES:**

*For the employers:*—Shri K. M. Desai, M.A., LL.B., Advocate with Shri L. B. Uttamsingh, Officer in Charge, staff.

*For the workmen:*—Shri Sachidanand Karkal, Advocate with Shri S. R. Kulkarni, Secretary Transport and Dock Workers' Union, Bombay.

**STATE:** Maharashtra.

**INDUSTRY:** Ports and Docks.

**AWARD**

The Central Government by the Ministry of Labour and Employment's Order No. 28/62/61-LRIV, dated 14th November 1961 made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), was pleased to refer the industrial dispute between the parties above-named in respect of the subject matters specified in the following schedule to the said order, to me for adjudication:—

**SCHEDULE**

"How far the demands raised by the workmen of M/s. Great Eastern Shipping Co. Ltd., Bombay, employed in the Bombay Port and docks in respect of the following matters are justified?"

- (a) gratuity;
- (b) leave travel concessions; and
- (c) leave facilities."

2. After both parties had filed their written statements, the dispute was taken up for hearing on 15th June 1962 when, after certain submissions were made, the parties applied for an adjournment to explore the chances of a settlement. The hearing was, therefore, adjourned to 22nd June 1962 when, on failure of settlement, the submissions of the parties on the three demands under reference were heard.

3. Admittedly, this dispute covers only the dock staff of the Great Eastern Shipping Co. Ltd. (hereinafter referred to as the company). The company, as its name suggests, is mainly engaged in running a shipping line and the dock staff

is employed for work incidental to the shipping work of the company. The company has a large number of employees at its head office and it is admitted that the company had on 8th February 1962 during conciliation proceedings, entered into a settlement with those employees, pertaining to certain of their major service conditions including gratuity, leave etc. It appears that this union also had put forward several demands on behalf of the company's staff working in the docks, and a settlement was reached on several demands except the three demands under reference.

#### DEMAND NO. I—GRATUITY

4. The demand of the union on gratuity, as contained in its charter of demands dated 18th August 1961, was that each employee should be given the benefit of gratuity at the rate of one month's salary for each year of service. It is stated that the benefit of gratuity is generally granted in the shipping industry in Bombay and that schemes of gratuity are existing in the Scindia Steam Navigation Co., Bombay Steam Navigation Co., Merchant Steam Navigation Co. etc. It is pointed out that the employees of the Bombay Port Trust, Dock Labour Board and stevedoring companies also get gratuity. The Union in its statement of claim has, therefore, urged that this company should also fall in line with these employers and pay gratuity to its dock staff. In para 9 of its statement of claim the union has submitted that the Bombay Dock Labour Board pays to its tally clerks 15 days' wages as gratuity for every year of service as provided for under the provisions of the Bombay Dock Workers' (Regulation of Employment) Scheme 1956. It has been observed:—

"The workmen of the company are dock workers and entitled to get at least 15 days wages as gratuity for each year of service."

It has further submitted that stevedore firms pay their workmen, gratuity at the same rate of 15 days' wages for each completed year of service. In this connection it has pointed out that two stevedore firms, which are contractors of the company, also pay gratuity at this rate to all the workmen in the docks performing identical jobs as are performed by the dock staff of this company. On this basis it is urged that the company cannot reasonably refuse to pay to its dock employees gratuity at least at the same rate. The company at the hearing offered to its dock staff covered by this reference the same scheme of gratuity which it has, under the settlement during conciliation proceedings on 8th February 1962, agreed to grant to its head office staff. The scheme of gratuity as granted to the head office staff is as follows:—

##### Gratuity:—

"The scale of gratuity shall be one month's average basic pay for every year of completed service subject to a maximum of 15 months or Rs. 15,000 whichever is less. The average basic pay means the average of the basic pay paid or payable during the 3 calendar months immediately preceding the month in which the gratuity becomes payable.

Gratuity shall be payable only in the event of:

- (a) Resignation or retirement of a workman from the service of the Company after completion of 12 years of continuous service with the Company; or
- (b) Death of a workman while in the service of the Company; or
- (c) Resignation or retirement of a workman from the service of the Company due to ill-health preventing him from discharging his normal duties provided such ill-health has been certified by a Doctor designated by the Company; or
- (d) Retirement of a workman or superannuation as defined hereinafter; or
- (e) Termination of service by the Company of a workman who has completed 12 years of continuous service, for reasons other than by way of retrenchment or misconduct.

It is further agreed that an employee who is dismissed due to misconduct shall not be entitled to the gratuity to the extent of financial losses, if any, caused by the misconduct for which he is dismissed.

The clause with regard to gratuity in the Company's circular dated 2nd July 1960 is hereby superseded."

5. The only difficulty which arises in applying this scheme to the dock staff of the company, is that whilst the dock staff concerned in this dispute get a consolidated pay consisting of basic pay and dearness allowance, under the scales of

pay prescribed for them by the award of Shri F. Jeejeebhoy, made in September 1960, the head office staff are paid dearness allowance in addition to their basic pay scales. In view of the submissions made by the union the company, in its written statement, has offered to its dock staff concerned in this reference, the benefit of the same scheme of gratuity which it has agreed to grant to its head office staff, subject only to this difference that the gratuity for the dock staff should be calculated on the basis of half month's consolidated pay instead of one month's basic pay for each completed year of service as in the case of the head office staff. From the statements which I have extracted from the union's written statement of claim and the submission made by it at the hearing the union may be deemed to be prepared to accept gratuity at the rate of half a month's consolidated pay for each completed year of service, and I would award accordingly.

6. The union at the hearing stated that under the Dock Workers (Regulation of Employment) Scheme, gratuity was payable in certain circumstances even on completion of five years' service and it demanded that a provision should be made for payment of gratuity even in the event of termination of service by the company on completion of five years' service. This has been opposed by the company and Shri K. M. Desai, its learned Advocate, has, in my opinion, rightly argued that the dock staff should be given the same scheme of gratuity which the head office staff have accepted under the settlement of 8th February 1962. In my opinion there is considerable substance in this contention. I am of the opinion that in matters like retirement benefits and leave there should be, as far as practicable and feasible, uniformity in service conditions of workmen employed in different sections or branches in the same city. The Union has laid emphasis on the fact that these are dock workers and has claimed that as such they should be given the benefits which the majority of the dock workers doing the like category of work are getting. But it has to be remembered that except for the Scindia Steam Navigation Company and this company, none of the other shipping companies employ separate dock staff, but avail themselves of the services of the dock staff from the dock labour pool. Since this company does employ staff for its dock work, it would be in the interests of good administration and also industrial peace if, in such long term matters as of retirement benefits and leave, the head office staff and the dock staff are governed by uniform conditions of service.

7 In the result, on the demand of gratuity I award the scheme of gratuity as stated above which the company is at present granting to its head office staff, except that the rate of gratuity in the case of the dock staff shall be half a month's consolidated wages, instead of one month's basic wages as for the head office staff. I further direct that this scheme of gratuity shall come into force from 18th August 1961, which is the date the Union submitted its charter of demands. For the purpose of computing gratuity all the past service of the employees shall be taken into account.

#### DEMAND NO. 2—LEAVE TRAVEL CONCESSIONS

8. The next demand relates to leave travel concessions and the union's demand under this head, as stated in its charter of demands dated 18th August 1961, was that all employees should be given the benefit of P.T.O. (Privilege Ticket Order) concession on the same lines as is granted by the Port Trust to its employees. The union at the hearing has filed copies of the various notifications issued by the Bombay Dock Labour Board relating to the grant of P.T.O. facilities, as amended upto September 1961. It appears that an employee of the Dock Labour Board gets P.T.O. facilities for himself and his wife once in two years when he goes on leave to his home town. The union has stated that it only wants facilities of third class travel for the workmen covered by this reference. Broadly stated, the P.T.O. scheme provides certain concessions by way of railway fare for travel to the home town. Under that scheme, for the first 250 miles of the journey to the home town an employee has to bear the train fare himself and the employers pay 90 per cent of the train fare for the rest of the journey. The union has argued that since these benefits are generally granted to tally clerks and other dock clerks, the dock staff of this company was legitimately entitled to these leave travel concessions. The union has argued that the financial burden of this demand would be very small and has, for that purpose, filed a statement showing the particulars of the home town or native place of each of the present 11 dock employees of this company and the distance from Bombay to each workman's native place. Of the 11 workmen only three have their home town in Bombay or near Bombay at a distance shorter than 260 miles from the city.

9. The management has strenuously opposed this demand and has pointed out that except for Scindias, which is not a comparable concern, no shipping company is granting this facility to its dock staff. Lead Counsel for the company has opposed this demand as involving a question of principle. He has argued that

since the head office staff is not getting this benefit there was no justification for only a small section of its employees making this demand and that the demand if conceded would be the thin end of the wedge creating industrial unrest. He has also relied upon the observations at page 59 of the Norms Committee of the Government of Maharashtra against the tendency to demand and grant all kinds of different allowances.

10. From what was stated at the hearing it was quite clear that the P.T.O. facilities came to be granted to certain classes of workmen in the Bombay Docks because of historical reasons and to induce those workmen to accept service in the Bombay Docks. Originally these facilities were granted to technical staff and it appears that this concession was later extended to clerical staff also. In Government service also this facility has a historical background. In my opinion, where a company is newly started or has been in existence for a few years and the majority of its employees working in its head office in the same city, do not get a similar benefit, the Tribunals should be circumspect in extending that benefit to a small section of the employees of such a concern, unless an overwhelmingly strong case is made out for the grant of such facility. I am not satisfied that the grant of leave travel concessions for this small group of 11 workmen can be deemed to be justified, simply because similar categories of employees in the Bombay Docks are getting the same. As I have pointed out this benefit is being granted in the Bombay Docks because of certain historical antecedents, which, in my opinion, do not justify the grant of it to a small number of employees who were taken in service, comparatively recently. This concession does not appear to be granted by other shipping companies except the Scindias, to their dock staff. I, therefore, reject this demand as unjustified.

#### DEMAND NO. 3—LEAVE FACILITIES

11. The demand under this head as made by the union in its charter of demands dated 18th August 1961 was that each employee should be granted 10 days' sick leave per year with a right of accumulation upto 90 days and 10 days casual leave every year. The company at the hearing offered to grant 7 days sick leave in the year with a right to accumulate upto 42 days and 10 days casual leave with no accumulation and after some discussion the union was prepared to accept this offer. The only controversy between the parties was whether (1) the company should be entitled to have, a workman who applies for more than three days sick leave, medically examined at its own expense and (2) whether even for one day's sick leave a medical certificate should be insisted upon. I am of the opinion that the rules governing the grant of sick leave for this small group of dock workers of this company should be the same as those prevailing at the head office, and I direct accordingly. In the result, on this demand the award shall be that the workmen shall be entitled to 10 days casual leave in the year with no right of accumulation at the end of the year of the unavailed of casual leave and seven days' sick leave in the year which can be accumulated upto 42 days. The grant of sick leave and casual leave shall be governed by the same rules as are applicable to the head office staff of the company.

No order as to costs.

(Sd.) SALIM M. MERCHANT,  
Presiding Officer,

Central Government Industrial Tribunal, Bombay.

[No. 28/62/61/LR.IV.]

*New Delhi, the 4th August 1962*

**S.O 2489.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to M/s. Tulsidas Khimji, Bombay and their workmen.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY**  
**REFERENCE No. CGIT-32 of 1961**

**PARTIES:**

Employers in relation to M/s. Tulsidas Khimji, Bombay

AND

their workmen

**REFERENCE No. CGIT-2 of 1962**

Employers in relation to M/s. Tulsidas Khimji, Bombay

AND

their workmen.



## PRESENT:

Shri Salim M. Merchant, Presiding Officer.

*Bombay, dated 21st July 1962*

## APPEARANCES:

*For the employers:* Shri A. T. Joshi, Labour Adviser with Shri V. N. Nadkarni.

*For the workmen:* Shri Sachidanand Karkal, Advocate with Shri S. R. Kulkarni, Secretary, Transport and Dock Workers' Union, Bombay.

STATE: Maharashtra.

INDUSTRY: Ports and Docks  
(Clearing and Forwarding).

## AWARD

The industrial dispute in Reference No. CGIT-32 of 1961 was referred to me for adjudication by the Government of India, Ministry of Labour and Employment's Order No. 28/41/61/LR.IV, dated 11th October 1961 and the subject matter of the dispute between the parties, as stated in the schedule to the said order, is as follows:—

## SCHEDULE

"How far the demand of workmen for payment of bonus for the year 1958-59 is justified?"

2. The industrial dispute in Reference No. CGIT-2 of 1962 was referred to me for adjudication by the Government of India, Ministry of Labour and Employment's Order No. 28/77/61-LR.IV, dated 1st January 1962 and the subject matters of the dispute, as stated in the schedule to the said order, are as follows:—

## SCHEDULE

"How far the demands of the workmen of M/s. Tulsidas Khimji, Bombay, employed in connection with the work concerning the Bombay port and docks in respect of the following matters are justified?"

- (a) Revision of pay scales including dearness allowance and fixation of pay in revised scales.
- (b) Gratuity.
- (c) Leave facilities.
- (d) Uniforms."

3. Both these dispute have been referred to me by the Central Government in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

4. With regard to Reference No. CGIT-32 of 1961, which is for bonus for the year 1958-59, I may say that a dispute with regard to the claim of the workmen for bonus for the earlier year 1957-58 was referred to my adjudication—being Reference No. CGIT-4 of 1960, and from my award in that dispute the employer company had by special leave appealed to the Hon'ble Supreme Court which by its judgment, dated 11th April 1962 reported in 1962 I LLJ at page 435, was pleased to reject the appeal and confirm my award.

5. Thereafter, when the above two disputes (Reference No. CGIT-32 of 1961 and Reference No. CGIT-2 of 1962) came up for hearing before me, the parties applied for an adjournment stating that they were negotiating for a settlement of both these disputes and at the adjourned hearing on 19th July 1962 the union which represents the workmen filed applications in the following terms in both these disputes:—

"On behalf of the workmen of the Second Party Company the Union begs to submit that in view of an overall settlement reached by it for and on behalf of the workmen with the said Company, the Union and the workmen do not wish to proceed with the reference and hence pray that the Honourable Tribunal may be pleased to dispose of the reference accordingly."

These applications are signed by Shri S. R. Kulkarni, Secretary, Transport and Dock Workers' Union representing the workmen and on behalf of the Employer company its Constituted Attorney Shri Shantu Karsondas, and its Labour Adviser, Shri A. T. Joshi, have signed under the endorsement "No objection". To these applications the Union has annexed a memorandum of settlement reached between the parties on 19th July 1962. In view of this settlement,

the parties have prayed that these two references be disposed of accordingly. I attach herewith copy of the applications filed by the Union in both these references, as also a copy of the memorandum of settlement, dated 19th July 1962, reached between the parties, and the same are marked annexures 'A', 'B' and 'C' respectively.

6. In the circumstances stated, above, as the Union does not wish to prosecute both these references, they are disposed of accordingly.

No order as to costs.

(Sd.) SALIM M. MERCHANT,  
Presiding Officer,  
Central Government Industrial Tribunal,  
Bombay.

#### ANNEXURE 'A'

BEFORE SHRI SALIM M. MERCHANT, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE (CGIT) No. 32 OF 1961

BETWEEN

M/s. Tulsidas Khimji Pvt. Ltd.

AND

the workmen employed under it.

May it please the Honourable Tribunal,

On behalf of the workmen of the Second Party Company the Union begs to submit that in view of an overall settlement reached by it for and on behalf of the workmen with the said Company, the Union and the Workmen do not wish to proceed with the reference and hence pray that the Honourable Tribunal may be pleased to dispose of the reference accordingly.

Bombay, dated this 19th day of July, 1962.

For and on behalf of the Workmen  
under Messrs. Tulsidas Khimji Private  
Limited,

Sd./- S. R. KULKARNI,  
Secretary,  
Transport & Dock Workers' Union.

No objection,

Sd./- A. T. JOSHI,  
Labour Adviser,  
for the Company,  
19-7-1962.

Per Pro. Tulsidas Khimji

Private Ltd.,  
Sd./- SHANTU KARSONDAS.

Taken on File.

Sd./- SALIM M. MERCHANT,  
Bombay, 19-7-1962.

#### APPENDIX 'B'

BEFORE SHRI SALIM M. MERCHANT, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE (CGIT) No. 2 OF 1962

BETWEEN

M/s. Tulsidas Khimji Pvt. Ltd.

AND

the workmen employed under it.

May it please the Honourable Tribunal,

On behalf of the workmen of the Second Party Company the Union begs to submit that in view of an overall settlement reached by it for and on behalf of the workmen with the said Company, the Union and the Workmen do not

wish to proceed with the reference and hence pray that the Honourable Tribunal may be pleased to dispose of the reference accordingly.

Bombay, dated this 19th day of July, 1962.

For and on behalf of the Workmen  
under Messrs. Tulsidas Khimji Private  
Limited,

Sd./- S. R. KULKARNI,  
Secretary,  
Transport & Dock Workers' Union.

No objection,

Sd./- A. T. JOSHI.  
Labour Adviser,  
for the Company,  
19-7-1962.

Per Pro. Tulsidas Khimji  
Private Ltd.,  
Sd./- SHANTU KARSONDAS.

Sd./- SALIM M. MERCHANT.  
Bombay, 19-7-1962.

#### ANNEXURE 'C'

No. 118

#### Memorandum of Settlement

(Agreement under Section 2P of the Industrial Disputes Act, 1947)

*Representing Employers:* Shri Shantu Karsondas, Constituted Attorney for  
M/s. Tulsidas Khimji Pvt. Ltd., Veer Nariman  
Road, Bombay-1.

*Representing Employees:* Shri S. R. Kulkarni, Secretary, Transport & Dock  
Workers' Union, P. D.'Mello Bhuvan, P. D.'Mello  
Road, Bombay-1.

#### Short Recital of the Case

After the decision of the Supreme Court of India in the Civil Appeal No. 503 of 1961 being the Employer's Appeal against the Award in Reference (CG-IT) No. 4 of 1960, Parties met to discuss the issue of interpretation of the Award. During the discussion a common aspiration and desire to seek an end to the longdrawn disputes and litigation between the parties, was ascertained. Hence further discussions were held and finally there was an accord and agreement between the Parties as follows:—

#### Terms of Settlement

It is agreed between the Transport and Dock Workers' Union, Bombay representing the workmen employed by M/s. Tulsidas Khimji Private Limited, and Messrs Tulsidas Khimji, Private Limited, Bombay, hereinafter called jointly Parties to the dispute or individually the Union and Company, that:

1. All disputes which are pending at present between the Parties and the particulars of which are given hereinbelow shall forthwith be referred for adjudication and Award of two Private Arbitrators (1) Shri F. Jeejeebhoy and (2) Shri P. P. Khambata appointed by the Parties simultaneously with this Agreement.

2. The following disputes and matters will be referred to the said two Arbitrators for their adjudication and Award.

3. (i) The interpretation of the Award of the Central Tribunal consisting of Shri Salim M. Merchant in Reference (CG-IT) 4 of 1960 and as confirmed by the Supreme Court of India on the point if the customary and traditional bonus granted in the said Award is payable to the workmen in addition to and over and above the bonus equivalent to 1/4th of the total basic earnings in and for the S.Y. 2014 which also is directed to be paid under the said Award.

(ii) The dispute pertaining to the demand for payment of bonus for S.Ys. 2015 as is pending in Reference (CG-IT) No. 32 of 1961 before Shri Salim M. Merchant, the Central Tribunal.

(iii) The demands covered by Reference (CG-IT) No. 2 of 1962 which is also pending before Shri Salim M. Merchant, the Central Tribunal.

(iv) The demand for customary and/or profit bonus for S.Ys. 2016 and 2017 against the firm of Tulsidas Khimji will be formally made by the Union on behalf of the workmen and the dispute regarding the demand also shall be referred along with the aforesaid matters to the two Arbitrators for their adjudication and Award.

3-A. It is further agreed that without prejudice to the contention of the Company that the customary and traditional bonus of one month's basic wages and dearness allowance is not payable to the workmen in addition to the bonus equivalent to 1/4th of their total basic wages in and for S.Y. 2014 and that the latter is inclusive of the former, the Company will pay an *ex-gratia* amount equivalent to 1/4th of the total monthly wages or Rs. 9,000/-, whichever is higher, to the workmen in *pro-rata* manner, within a fortnight from the date of signing of this Settlement. It is further provided that on the issue of interpretation of Award in Reference (CG-IT) No. 4 of 1960 if the Award of the Arbitrators and/or Umpire is in favour of the Company the above *ex-gratia* payment will not be recovered but if it is decided by the Arbitrators that customary and traditional bonus for the S.Y. 2014 is payable in addition to the profit sharing bonus already paid, the above *ex-gratia* payment shall be set off against any additional amount of bonus that may become payable to the workmen.

4. As the two references, pending before Shri Salim M. Merchant being Reference (CG-IT) No. 32 of 1961 and Reference (CG-IT) No. 2 of 1962, having been agreed to be referred to the said two Arbitrators the Union and the workmen shall make application to and before the Central Tribunal informing the said Tribunal that they did not wish to proceed with either of the two references and the said references may be disposed of accordingly:

Provided that the terms and provisions of this settlement shall come into force only after the said two References before the Central Government Industrial Tribunal are disposed off in accordance with this Agreement.

5. The Parties are agreed that in case of difference between the two Arbitrators on any matter or matters referred to them, the same shall be referred to a single Umpire as may be mutually agreed by and between the said two Arbitrators.

6. It is agreed that the Company will pay to its workmen for each of the S.Ys. 2015, 2016 and 2017 bonus equivalent to one month's basic wages and dearness allowance as customary and traditional bonus and the payment of this one month's full wages as bonus will be made for each of the S.Ys. 2015, 2016 and 2017 on or before 30th September 1962, 31st December 1962 and 28th February 1963 respectively: Provided however that the Company will be free to dispute and accordingly urge that the payments of above bonuses for those three years shall be adjusted and set off against any kind of bonus or *ex-gratia* amount paid in lieu of bonus, which may be awarded or paid for any of the said years.

7. The parties are hereby agreed that the unanimous Award/Awards of the two Arbitrators and/or the Award of the Umpire shall be final and shall not be called into question by the parties to this Agreement before any Court and shall come into effect immediately on its intimation to both the Parties by the Arbitrators and/or the Umpire (or from such other date as may be specified in their/his Award/s) and shall be fully and legally binding on the Parties for a period of four years from the date of intimation to the Parties of the Award/s and shall continue to remain in force thereafter until terminated by either side by a statutory notice of 2 months.

8. The Parties are further agreed that during the pendency of this Agreement and the proceedings before the Arbitrators and/or Umpire and during the period of the Arbitrators' and/or Umpire's Award the workmen or any of them shall not resort to go slow or strike or any other act prejudicial to the interest and reputation of the Company and the Company shall not declare a lock-out, during the pendency of the proceedings before the Arbitrators and/or the Umpire or during the period in which the Award is in operation in respect of any of the matters covered by the Award or Awards.

9. The parties further agree that during the pendency of these arbitration proceedings before the said two Arbitrators and/or the Umpire, the Company shall not:

- (a) in regard to any matter connected or unconnected with the dispute, alter, to the prejudice of the workmen concerned in such dispute,

the conditions of service applicable to them immediately before the commencement of such proceedings; or

- (b) for any misconduct connected or unconnected with the dispute, discharge or punish, whether by dismissal or otherwise, any workmen concerned in such dispute, save with the express permission in writing of the Arbitrators and/or the Umpire before whom the proceedings are pending.

10. The parties are agreed that the proceedings before the Arbitrators and/or the Umpire will be in accordance with the provisions of the Industrial Disputes Act, 1947 and in particular the Parties are agreed that:

- (a) The Arbitrators and/or the Umpire shall have the same powers as a Tribunal under Section 11 of the Industrial Disputes Act, 1947 and shall follow such procedure as they or he respectively deem fit.
- (b) The Arbitrators and/or the Umpire shall hold their or his proceedings expeditiously and shall give their or his Award as soon as practicable on the conclusion of proceedings.
- (c) The Unanimous Award of the Arbitrators and/or the Umpire will be binding on the Parties to this Agreement i.e. the Union and the workmen on one hand and the Company on the other hand and further shall bind the Employer's heirs, successors or assignees in respect of the establishment known and styled as "MESSRS. TULSIDAS KHIMJI PRIVATE LIMITED" and all persons who are now employed and all persons who subsequently become employed in the said Company.

11. It is agreed that this Agreement under Section 2(A) of the Industrial Disputes Act, 1947 will be effected in accordance with the legal procedure laid down in that behalf, both with the Central Government and the State Government.

12. The Union and the workmen hereby agree that during the four years' period stated in para 7 hereinabove, they will not re-agitate any demand/demands which were already raised by them by their Union's letter No. TD/120/1087/61, dated 13th May 1961 but in respect of which a Reference under Section 10 or 10A of the Industrial Disputes Act has not been granted.

13. The Unanimous Award or Awards of the two Arbitrators and/or the Umpire shall be deemed to be a Settlement arrived at by Agreement as under Section 18(1) read along with the necessary rules of the Industrial Disputes Act, and both the Company and the Union shall sign the Award/s and shall jointly send a copy thereof to the Central Government, the Chief Labour Commissioner (Central), New Delhi and the Regional Labour Commissioner (Central) and to the Conciliation Officer (Central) concerned and to the Commissioner of Labour and Conciliation Officer, Government of Maharashtra.

*Bombay, dated this 19th day of July, 1962.*

For the Workmen,

Sd./- S. R. KULKARNI,  
Secretary,  
Transport and Dock Workers'  
Union, Bombay.

Witness:

Sd./- S. KARKAL,  
Advocate.

For M/s. Tulsidas Khimji Private  
Limited, Bombay

Sd./- SHANTU KARSONDAS,  
Constituted Attorney.

Witness:

Sd./- M. A. GAGRAT,  
Advocate.

[No. 28/41/61/LR.IV.]

## ORDERS

*New Delhi, the 25th July 1962*

**S.O. 2490.**—Whereas the employers in relation to the Bombay Port Trust, Bombay, and the Bombay Port Trust General Workers' Union, Bombay, have jointly applied to the Central Government for reference to a Tribunal of an industrial dispute in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed;

And whereas the Central Government is satisfied that the said Bombay Port Trust General Workers' Union, Bombay, represents a majority of the workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

#### SCHEDULE

Whereas an industrial dispute exists between the Bombay Port Trust and its workmen represented by the B.P.T. General Workers' Union and it is expedient that the dispute specified in the enclosed statement should be referred for adjudication by a Tribunal an application is hereby made under Section 10(2) of the Industrial Disputes Act, 1947, that the said dispute should be referred to a Tribunal.

A statement giving the particulars required under rule 3 of the Industrial Disputes (Central) Rules, 1957, is attached.

Dated the 27th June 1962

Signature of

Sd/-

Principal officer  
of the Corporation  
Secretary,  
Bombay Port Trust.

Signature of the

Sd/-

President of the  
Trade Union.  
Sd/-  
General Secretary of  
the Trade Union.

Statement required under rule 3 of the Industrial Disputes (Central) Rules, 1957, to accompany the form of application prescribed under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947:—

(a) Parties to the dispute including the name and address of the establishment or undertaking involved

(1) The Trustees of the Port of Bombay, Port Trust Administrative Offices, Ballard Road, Bombay-1.

(2) The Bombay Port Trust General Workers' Union, Kavarana Building, 1st Floor, 26, Frere Road, Bombay-9.

(b) Specific matters in dispute.

How the period of strike of the Flotilla crews of the Port and the Engineering Departments of the Bombay Port Trust from 24th February to 2nd March 1962 should be treated for the purposes of payment e.g. by way of monetary relief, if any, or by treating the period as leave with or without pay.

(c) Total number of workmen employed in the undertaking affected.

About 26,000

(d) Estimated number of workmen affected or likely to be affected by the dispute.

About 1,025

(e) Efforts made by the parties themselves to adjust the dispute.

The parties have held discussions but have been unable to reach a settlement.

Signature of

Sd/-

Principal officer  
of the Corporation  
Secretary,  
Bombay Port Trust.

Signature of the

Sd/-

President of the  
Trade Union.  
Sd/-  
General Secretary of  
the Trade Union.

[No. 28/57/62-LRIV.]

New Delhi, the 27th July 1962

**S.O. 2491.**—Whereas the employers in relation to the Bombay Port Trust, Bombay and the Bombay Port Trust Employees' Union have jointly applied to the Central Government for reference of an industrial dispute to a Tribunal in respect of the matter set forth in the said application and reproduced in the Schedule hereto annexed;

And whereas the Central Government is satisfied that the said Bombay Port Trust Employees' Union represents a majority of the workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

Whereas an industrial dispute exists between the Bombay Port Trust and its workmen represented by the B.P.T. Employees' Union and it is expedient that the dispute specified in the enclosed statement should be referred for adjudication by a Tribunal an application is hereby made under Section 10(2) of the Industrial Disputes Act, 1947, that the said dispute should be referred to a Tribunal.

A statement giving the particulars required under rule 3 of the Industrial Disputes (Central) Rules, 1957, is attached.

(Illegible)

Signature of the President,  
B.P.T. Employees' Union.

Dated the 27th June 1962.

(Illegible)

Signature of the General Secretary  
of the B.P.T. Employees' Union.

Signature of

(Illegible)

Principal Officer  
of the Corporation  
Secretary, Bombay Port Trust.

Statement required under rule 3 of the Industrial Disputes (Central) Rules, 1957, to accompany the form of application prescribed under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947:—

(a) Parties to the dispute including the name and address of the establishment or undertaking involved.

(1) The Trustees of the Port of Bombay, Port Trust Administrative Offices, Ballard Road, Bombay-1.

(2) The Bombay Port Trust Employees' Union, Port Trust Kamgar Sadan, Nawab Tank Road, Mazagaon, Bombay.

(b) Specific matters in dispute.

Whether the existing system of work for the Shore Crews of the Prince's and Victoria Docks, under which each shift consists of 8 hours' normal duty, 2 hours' variable recess and 2 hours' overtime, needs any modification.

(c) Total number of workmen employed in the undertaking affected.  
About 24,000.

(d) Estimated number of workmen affected or likely to be affected by the dispute.

About 482 (162 Prince's & Victoria Docks + 217 Alex. Dock + 83 Butcher Island).

(e) Efforts made by the parties themselves to adjust the dispute.

The parties held numerous discussions but have been unable to reach a settlement by negotiations

(Illegible)  
President

(Illegible)  
General Secretary,  
Bombay Port Trust  
Employees' Union.

(Illegible)

Secretary,  
Bombay Port Trust.

*New Delhi, the 26th July, 1962*

**S.O. 2492.**—In pursuance of sub-rule (3) of Rule 3, of the Dock Workers (Regulation of Employment) Rules, 1962, the Central Government hereby appoints, after consulting the National Union of Dock Labour, which appeared to the Central Government to be the representative of the dock workers, Dr. (Mrs) Maitreyee Bose, as a member of the Calcutta Dock Labour Board, *vice* Shri Kali Mukherjee, resigned, and directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1485, dated the 2nd June, 1960, namely:—

In the said notification, under the heading "*Members representing the dock workers*", in item (1), for the entry "Shri Kali Mukherjee" the entry "Dr. (Mrs) Maitreyee Bose" shall be substituted.

[No. 523/37/60-Fac.]

*New Delhi, the 28th July 1962*

**S.O. 2493.**—The following draft of a scheme further to amend the Calcutta Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after 31st August, 1962.

Any objections or suggestions which may be received from any persons with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

#### DRAFT SCHEME

1. This Scheme may be called the Calcutta Unregistered Dock Workers (Regulation of Employment) Amendment Scheme, 1962.

2. In clause 14 of the Calcutta Unregistered Dock Workers (Regulation of Employment) Scheme, 1957—

(1) after sub-clause (3), the following sub-clause shall be inserted, namely:—

"(3-A) Where in a case reported to him under sub-clause (3), the Personnel Officer is of opinion that the act of indiscipline or misconduct is so serious that the worker should not be allowed to work any longer, the Personnel Officer may, pending investigation of the matter, suspend the worker and report immediately to the Deputy Chairman, who after preliminary investigation of the matter shall pass orders thereon whether the worker should, pending final orders, remain suspended or not.";

(2) in sub-clause (4), after the brackets and figure "(3)", the words, brackets, figure and letter "and sub-clause (3-A)" shall be inserted.

[No. 529/23/62-Fac.]

*New Delhi, the 30th July 1962*

**S.O. 2494.**—In pursuance of sub-rule (3) of rule 3 of the Dock Workers (Regulation of Employment) Rules, 1962, the Central Government hereby appoints Shri A. Mukerji as a member of the Calcutta Dock Labour Board, *vice* Shri R. C. Jalundhwala, resigned, and directs that the following further amendment shall be made in the notification of the Government of India, in the Ministry of Labour & Employment, No. S.O. 1485, dated the 2nd June, 1960, namely:—

In the said notification, under the heading "*Members representing the employers of dock workers and shipping companies*" in item (4), for the entry "Shri R. C. Jalundhwala", the entry "Shri A. Mukerji" shall be substituted.

[No. 523/37/60-Fac.]

MAHINDRA KISHORE, Under Secy.



*New Delhi, the 27th July, 1962.*

**S.O. 2495.**—In exercise of the powers conferred by sub-section (1) of Section 13 of the Employees' Provident Funds Act, 1952, (19 of 1952), the Central Government hereby appoints Shri M. Krishnamoorthy Rao to be an Inspector for the whole of the State of Madras for the purposes of the said Act, and of any scheme framed thereunder, in relation to an establishment belonging to, or under the control of, the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. 21(7)62-PF. I.]

*New Delhi, the 28th July 1962*

**S.O. 2496.**—In pursuance of clause (b) of sub-paragraph (1) of paragraph 3 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby nominates Shri P. Sadagopan, Internal Financial Adviser, and *ex-officio* Deputy Secretary to the Government of India in the Ministry of Labour and Employment, as a member of the Board of Trustees (Central Board), constituted under the said scheme, in the vacancy caused by the resignation of Shri V. V. Ananta-krishnan, and makes the following further amendment in the notification of the Government of India in the late Ministry of Labour No. S.R.O. 1861, dated the 31st October, 1952, namely:—

In the said notification, for entry No. 4, the following entry shall be substituted, namely:—

“(4) Shri P. Sadagopan, Internal Financial Adviser and *ex-officio* Deputy Secretary to the Government of India in the Ministry of Labour and Employment. New Delhi.”

[No. 10/11/61-PF.II.]

*New Delhi, the 31st July 1962*

**S.O. 2497/PW/Rlys/Rules/Am.**—In exercise of the powers conferred by sub-sections (2), (3) and (4) of section 26, read with section 24, of the Payment of Wages Act, 1936 (4 of 1936), the Central Government hereby makes the following rules further to amend the Payment of Wages (Railways) Rules, 1938, the same having been previously published, as required by sub-section (5) of the said section 26, namely:—

1. These rules may be called the Payment of Wages (Railways) Amendment Rules, 1962.
2. In the Payment of Wages (Railways) Rules, 1938, hereinafter referred to as the said rules, in rule 17, for the word “May” the word “February” shall be substituted.
3. For Form III, appended to the said rules, the following Form shall be substituted namely:—

**FORM III**

(See Rule 17)

**ANNUAL RETURN**

Return for the year ending 31st December\_\_\_\_\_

1. Name of the Railway and postal address.  
Contracts Establishment
2. Number of days worked during the year.
- \*3. (a) Number of man-days worked during the year.
- †(b) Average daily number of persons employed during the year.  
Adults\_\_\_\_\_
- Children\_\_\_\_\_
- (c) Gross amount paid as remuneration to persons getting less than Rs. 400 per month including deductions under section 7(2) is\_\_\_\_\_ of which the amount due to incentive bonus is\_\_\_\_\_ and that due to money value of concession†is\_\_\_\_\_
4. Total wages paid including deductions under section 7(2) on the following accounts:  
(a) Basic wages including overtime wages and non-profit sharing bonus.

(b) Dearness and other allowances in cash

(c) Arrears of pay in respect of previous year paid during the year.

5. Number of cases and amount realised as:

	Persons receiving less than Rs. 400/- per month	
	No. of cases	Amount

(a) Fines

(b) Deductions for damage or loss

(c) Deductions for breach of contract

6. Disbursement from the fines\*\* fund:

Purpose

Amount

(a)

(b)

(c)

(d)

7. Balance of fines\*\* fund in hand at the end of the year.....

Signature\_\_\_\_\_

Designation\_\_\_\_\_

\*This is the aggregate number of attendances during the year.

† The average daily number of persons employed during the year is obtained by dividing the aggregate number of attendances during the year by the number of working days.

‡ Money value of concessions should be obtained by taking the difference of the cost price paid by the employer and the actual price paid by the employees for supplies of essential commodities given free or at concessional rates.

\*\* Fines fund referred to in cols. 6 and 7 will cover Staff Benefit Fund existing on Railways.

[No. Fac.49(34) (i)/59.]

### CORRIGENDAM.

*New Delhi, the 27th July, 1962.*

**S.O. 2498.**—In the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 1708, dated the 25th May, 1962, the following corrections shall be made, namely:—

(i) for "V. K. Gupta", "V. K. Gupte" shall be substituted, and

(ii) for "M. G. Shlrbatti", "M. G. Shirhatti" shall be substituted.

[No. 21(6)/62-PF.I.]

*New Delhi, the 30th July 1962*

**S.O. 2499.**—In the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1614 dated the 16th May 1962, for "Shri P. Raman" please read "Shri P. Ramam".

[No. 21(5)/62-PF.I.]

P. D. GAIHA, Under Secy.

*New Delhi, the 28th July 1962*

**S.O. 2500.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the following factories situate in the areas in the State of Punjab mentioned in the Schedule appended to this notification, from payment of

employer's special contribution leviable under Chapter V-A of the said Act till the enforcement of the provisions of Chapter V of that Act in those areas:—

**SCHEDULE**

S. No.	Name of district	Name of the area	Name of the factory
1	2	3	4
1.	Ferozepur	Moga	M/s Food Specialities Ltd., Moga.
2.	Hoshiarpur	Hoshiarpur	Workshop of Oil and Natural Gas Commission, Hoshiar- pur.

[No. F. 6(30)/62-HI.]

*New Delhi, the 30th July 1962*

**S.O. 2501.**—In pursuance of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby reconstitutes the Medical Benefit Council which shall with effect from the date of publication of this notification in the official Gazette, consist of the following members, namely:—

*Chairman.*

- (1) The Director General, Health Services, *Ex-officio*.

*Members*

- (2) Dr. N. Jungalwalla, Deputy Director General of Health Services (Nominated by the Central Government).  
(3) The Medical Commissioner of the Employees' State Insurance Corporation, *ex-officio*.

(Nominated by the State Governments concerned under clause (d) of sub-section (1) of section 10).

- (4) Major K. N. Rao, MDO, DGO, FCCP, FICS, Director of Medical Services, Andhra Pradesh, Hyderabad.  
(5) Dr. B. L. Chowdhury, Director of Health Services, Assam, Shillong.  
(6) Dr. S. M. Hassan, Director of Health Services, Bihar, Patna.  
(7) Dr. T. B. Patel, Director of Health and Medical Services (Medical), Gujarat, Ahmedabad.  
(8) Dr. S. Padmanabha Pillai, Administrative Medical Officer, Employees' State Insurance Scheme, Kerala, Trivandrum.  
(9) Dr. R. G. Deshmukh, Administrative Medical Officer, Employees' State Insurance Scheme, Madhya Pradesh, Indore.  
(10) Dr. (Kumari) A. B. Marikar, Director of Medical Services, Madras.  
(11) Dr. P. M. Bhandarkar, Surgeon General to the Government of Maharashtra, Bombay.  
(12) Dr. H. G. Sattur, Director of Medical Services, Government of Mysore, Bangalore.  
(13) Dr. S. K. Mishra, M.B.B.S., Director of Health Services, Orissa, Bhubaneswar.  
(14) Dr. Jagdish Singh, Director of Health Services, Punjab, Chandigarh.  
(15) Dr. S. C. Mehta, F.R.C.S., Director of Medical and Health Services, Rajasthan, Jaipur.  
(16) Dr. D. N. Sharma, M.D., Director of Medical and Health Services, Uttar Pradesh, Lucknow.  
(17) General D. N. Chakravarti, Director of Health Services, West Bengal, Calcutta.

(Nominated by the Central Government under clause (e) of sub-section (1) of section 10 in consultation with organisations of employers recognised by that Government).

- (18) Shri R. K. Parikh, General Manager, Shree Ram Mills Limited, Ferguson Road, Lower Parel, Bombay-13.
- (19) Shri S. R. Zachariah, Chief Personnel Officer, Jardine Henderson Limited, 4-Clive Row, Calcutta-1.
- (20) Dr. G. D. Kapoor, Human Relations Adviser, Delhi Cloth and General Mills Company Limited, Bara Hindu Rao, Delhi-6.

(Nominated by the Central Government under clause (f) of sub-section (1) of section 10 in consultation with organisations of employees recognised by that Government).

- (21) Shri Ramsinghbhai Verma, President, Indian National Trade Union Congress, Madhya Pradesh Branch, Shram Shivir, Snehatagunj, Indore.
- (22) Dr. S. L. Kashikar, Vice-President, Indian National Trade Union Congress, Maharashtra Branch, Ganeshpeth, Nagpur.
- (23) Shri A. B. Bardhan, Bezon Bagh, Nagpur-4.

(Nominated by the Central Government under clause (g) of sub-section (1) of section 10 in consultation with organisations of medical practitioners recognised by that Government).

- (24) Dr. H. N. Shivapuri, 43-C, Cantonment Road, Lucknow.
- (25) Dr. (Mrs.) Maitreyee Bose, 47-Chowringhee Road, Calcutta-16.
- (26) Dr. Narendra Nath Bhattacharjee, 95-Akhil Mistri Lane, Calcutta-9.

[No. F. 1(13)/62-HI.]

### CORRIGENDUM

New Delhi, the 27th July, 1962.

S.O. 2502.—In the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2665, dated the 2nd November, 1961, published on pages 2897—2927, in Part II, Section 3 sub-section (ii) of the Gazette of India dated the 11th November, 1961,

#### I. In Schedule I,

1. in column 4, against serial No. 16, for "Gajjarpet" read "Gajgarpet".

2. in column 5,

(1) against serial No. 1,

(a) for "Karnataka-Silks and Filatures, (Mysore) Ltd", read "Karnatak Silks and Filatures (Mysore) Ltd",

(b) for "1. Mandre Fire and Potteries", read "1. Mandre Tiles and Potteries",

(2) against serial No. 2,

(a) for "2. New Bemoo Engineering Products Private Ltd.", read "2. New Bemco Engineering Products Private Ltd",

(b) for "Belvil Mills" read "Belville Mills",

(c) for "3. Anantha Oil Mills", read "3. Anant Oil Mills and Industries",

(d) for "2. D.M. Aribengi Ginning & Oil Mills", read "2. D. M. Aribenchi Ginning and Oil Mills",

(3) against serial No. 9,

(a) for "6. Radragaswamy Malikopmath and Sons", read "6. Rudrayaswamy Malekopmath and Son",

(b) for "12. V. K. Shettar & Sons", read "12. V. K. Shettar and Sons",

(c) for "1. The Sharanabasavewra Oil Mills", read "1. The Saranabasavewara Oil Mills",

(4) against serial No. 16, for "4. Raneswar Cotton Oil Industries", read "4. Rameswari Cotton Oil Industries".

- 
- (5) against serial No. 17, for "3. The Govt. Sandle Wood Industries",  
read "3. The Government Sandal Wood Oil Factory",
- (6) against serial No. 18, for "1. Vijaya Tile Works & Kalyan Saw Mills",  
read "1. Vijaya Tile Works and Kalyanpur Saw Mills",
- (7) against serial No. 19, for "3. Basavewara Rice & Oil Mills", read "3.  
Basaveswara Rice and Oil Mills".

II. In Schedule V, in column 5,

- (1) against serial No. 12, for "1. Slane Breaking Factory", read "1. Stone  
Breaking Factory".
- (2) against serial No. 15, for "2. Holkar State Works", read "2. Holkar  
Slate Works".
- (3) against serial No. 16, for "Samal Das Oil & Oil Mills, read "Samal as  
Oil & Dal Mills".

[F: No. HI-6(141)/59.]

BALWANT SINGH, Under Secy.

